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Mississippi, as a province, territory, and state

John Francis Hamtramck Claiborne

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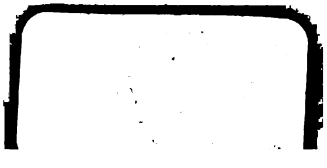

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Natchez, March 12th 81

Hon George Bancroft,

My dear Sir: It is many years since I made your acquaintance at Washington, and had the honor, while you presided over the Navy Department, of serving under your orders as Superintendent of Public Timber for Mississippi, Alabama & Louisiana.

I have a grateful recollection of your courtesy & kindness, and beg to assure you that your services to your country, and your brilliant & valuable contributions to its literature are no where more highly appreciated than in this remote quarter, where your name is a household word, and your writings are treasured in every family.

I beg to present you a

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volume from my pen, very local in its character and of interest chiefly, to the descendants of our pioneers. You are aware that many of our early immigrants, during the British occupancy of West Florida, were from Massachusetts, Connecticut & New Jersey.

I venture to hope that the narra[illegible] their vicissitudes & sufferings in Chapters 13 and 16, may be of interest to you.

With great respect,
I have the honor to be,
Your Friend & Servt,
J. F. H. Claiborne.

P.S. This volume is entirely a home production & is the first attempt at publishing in Mississippi.

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MISSISSIPPI,

AS A

PROVINCE, TERRITORY AND STATE,

WITH

BIOGRAPHICAL NOTICES OF EMINENT CITIZENS,

BY

J. F. H. CLAIBORNE.

VOLUME I.

JACKSON, MISS.:
POWER & BARKSDALE, PUBLISHERS AND PRINTERS.

1880.

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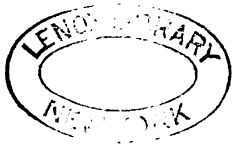

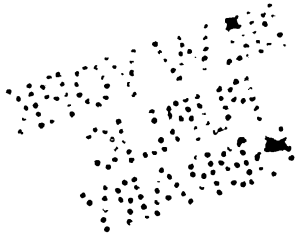

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DEDICATION.

TO THE YOUNG MEN OF MY NATIVE STATE, AND TO THE WIDOWS AND DAUGHTERS OF THOSE WHO DIED IN ITS DEFENCE, THESE VOLUMES ARE RESPECTFULLY INSCRIBED.

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INTRODUCTION.

In writing this work, I have not been prompted by a desire for fame or profit, but to preserve the time-worn papers and documents confided to me by those who have long since passed away. I should have executed this trust earlier, but have been prevented by the vicissitudes of war, and the demands of every-day life. I have written these volumes in declining health, in pain and suffering, and hope that this may plead for many imperfections.

Diodorus Seculus, one of the Fathers of History, introduced in his work, minute details of remarkable events, and individual adventures and incidents, which some critics consider inconsistent with the dignity of the historic muse. I adopt his view, and have aimed to collect facts, to illustrate even the most obscure periods. Most of these facts are derived from the MS. of the prominent actors in the scenes described. I have striven to be truthful and impartial in my narrative of events and estimate of men, discarding personal or political bias, in the past or the present. I have long been disconnected with parties, have maintained friendly relations with the best men on all sides, and most of those whose actions I have discussed have gone before a higher tribunal.

In newspapers, in books, and on the records of the government, much has been written in disparagement of Mississippi, our people and institutions, but the facts here recorded will be their vindication. For seventy years, and more, some of these calumnies, originating with the first civil officers sent here by the United States, have stood on record, and have been received and adopted as true. They are now, for the first time, examined and refuted.

In tracing our history for twenty years preceding the civil war, I have called to my aid some of our most distinguished statesmen, whose reminiscences embrace all the material facts. This constitutes the most attractive feature of the work.

The portion devoted to the Indians, who once occupied our soil, has been derived from citizens who resided among them, and from my own observations when officially associated with them.

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The biographical notices are, mainly, drawn from my own impressions, for it has been my fortune to have grown up, from boyhood, among those whom I have described.

I had meditated a detailed account of the civil war, to enable me to do justice to Mississippians, who won renown in so many battles. With this view, I have read most of the books that have appeared, particularly General Sherman's, Gen. Joseph E. Johnston's, Gen. Albert Sidney Johnson's—the highest authorities—and most of the magazines devoted to the subject. I find them interesting, but conflicting; controversional, not conclusive; positive assertion and peremptory denial; full, in short, of discrepancies that must be adjusted before either can be adopted as history.

A competent military critic might now write a work of intense interest, on the errors of history in regard to the civil war.

The reports of battles and campaigns, accepted in the current literature of our times, are, in numerous instances, grossly erroneous, and, in some, mere coinage of the brain. But the world clings, with the grip of a drowning man, to these pet historical lies.

Men, who know better, continue to rehearse them, and would crucify the bold sceptic, even though he held in his hand the sacred torch of Truth! When a favorite falsehood gets firmly planted, the conservative public does not care to have it uprooted, and, sometimes, even the author of it, when the proof is brought home to him, will not take the trouble to repair the wrong. When the Abbe Vertol had finished his work on the famous Siege of Malta, a friend furnished him the proof of material errors; but he merely shrugged his shoulders, and said: "*Mon siege est fait!*" The MS. went, as he had written it, to the press, although known to be a historical romance. There are many Abbe Vertols in our days.

The conflicting narratives of great military operations in our times, may be traced, primarily, to the correspondents that followed the National and Confederate armies. Some of these aimed to be, and were, as accurate as possible, under the circumstances. Some were merely sensational; some were paid to make false reports, in the interest of stock-jobbers and fanatics.

The reports of European battles, and the wonderful achievements of Clive, Hastings and Wellington in the East Indies, were written by the commanding general, or an officer of his staff, and accepted as authentic. But in the Crimean campaign, and in every war since, the newspaper correspondents became an organized corps, moving with the army, in familiar intercourse with the officers, sending off their bulletins in advance of the official reports, and forming a public

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sentiment often not authorized by the facts, but very difficult to eradicate.

Thus, the received opinion is, that we won a great victory at the first Manassas, and that Johnston and Beauregard might have marched into Washington, captured President Lincoln, and ended the war, but were culpably supine, and lost the opportunity.

The facts are, that we fought there an army three times stronger than ours, with superior equipments. When the retreat commenced, as we had no cavalry, it was impossible to pursue with infantry, exhausted and bleeding. "President Davis," says Gen. J. E. Johnson, "was present, and gave no orders to pursue, because he knew that it was impracticable."

The battle of Shiloh, on the first day, was won by the Confederates against a superior force, which, notwithstanding its valor, and the ability of its generals, would probably, have been withdrawn or destroyed the next day, but for the arrival of a powerful re-inforcement. Confronted by fresh troops and vastly superior numbers next morning, our diminished and exhausted army fought heroically, but not compactly or in masses, as it should have done, six hours, and was then withdrawn by Beauregard, without losing a straggler or a gun—one of the most difficult achievements in war! Yet historians, on both sides, have given erroneous accounts of the battles, and the retreat! "Sherman was completely surprised"—"Grant routed"—"Grant victorious without Buell"—"Beauregard utterly defeated"—"His army demoralized—a mere mob; everything lost."

The actions of Gen. Bragg in Kentucky, Tennessee and Georgia, have been subjected to versions not at all to his credit. And in return, Gens. Polk, Hill, Hindman and Buckner, have been accused by him and his friends of conspiracy, disobedience and incompetence.

Gen. Albert Sidney Johnson, at Bowling Green and at Nashville, was neither a soldier nor a hero, if the critics are to be credited, yet the same shot that killed him at Shiloh, killed the Confederacy, if we credit other statements.

Gen. Joseph E. Johnston has been eulogized as the master strategist of the war, and condemned as a timid and wavering officer, who might have relieved Vicksburg, and by his want of pluck, opened the way for Sherman's march to the sea.

Pemberton is charged with a want of generalship in not fighting Grant, with his whole force, at Bruinsburg or Bayou Pierre; with positive disobedience in fighting the unfortunate battle of Baker's Creek, thus superinducing the fall of Vicksburg; and with a cowardly, if not treasonable, surrender of his army when he might have cut his way out and formed a junction with Johnston. On the other hand, Pemberton insists that if he had concentrated his army at or near

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Bruinsburg, the iron-clad fleet of the enemy would have seized the city he had been ordered to defend; that the fight at Baker's Creek occurred under circumstances neither to be avoided or amended; that his little army enacted prodigies of valor in the trenches; that a council of general officers, with only one dissentient (Stephen D. Lee,) determined that to attempt to cut through Grant's lines was impracticable, and finally, that Gen. Johnston had it in his power to relieve him, and by his inaction and timidity occasioned the surrender.

Gen. Lovell, as true a soldier as ever carried a sword, signalized for his personal courage in the war with Mexico, was charged with cowardice and treason for the evacuation of New Orleans, though Gen. Beauregard, and other eminent engineers, are of opinion, that the forts below were not competent to prevent the passage of iron-clads, and that once passed, the city was at their mercy.

Gen. Hood was called into command as the man of action and movement at a critical period of the war, who was to repair all the blunders of his predecessors, and lead his victorious arms across the Ohio. But he was soon represented as a mere dragoon; rash, hair-brained, impetuous in the charge, with no faculty for command, who criminally failed to attack at Spring Hill, when he should have attacked, and slaughtered his army in the insane attempt on Franklin!

Longstreet ascribes the terrible defeat at Gettysburg to Gen. Lee's obstinacy, and want of precaution, and, in return, some military critics attribute it to his own disobedience of orders.

The parties to these conflicting representations, arguing from their own stand-points, and summoning only their own witnesses, have made a plausible showing. But it is obvious, that a true and impartial history of that tremendous conflict cannot be written, until further and complete testimony has been collected.

I, therefore, limit myself to a few details and incidents, to illustrate the services of the volunteers from Mississippi.

I am indebted to so many friends for aid and counsel, that I can only, in this way, express my grattiude to them all, and to the Press, throughout the State, and in many other quarters, for generous support.

I trust that there will be found, in these modest volumes, materials for more comprehensive history, especially in reference to the great social, political and commercial changes resulting from the war. My aim has been to supply a repository of facts.

Sith sails of largest size,
The storm doth soonest tear,
I bear so small and low a sail,
As freeth me from fear.—SOUTHWELL.

NATCHEZ, April, 1879.

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ROBERT J. WALKER—Personal appearance—Nominates Gen. Jackson—Immigrates to Mississippi—Lawyer and land speculator—Abandons the Jackson party and goes over to the Bank—Practical repudiation—Bankruptcy

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JACOB THOMPSON.—Born and educated in North Carolina—Moves to Mississippi—Opens a law office at Pontotoc—The Chickasaw district organized into Counties—Exciting issue on the right of representation—Mr. Thompson distinguishes himself in the debate—Nominated for Attorney General—Defeated by a small majority—His success at the bar—Mississippi contested election—Is nominated for Congress—Elected—Re-nominated and re-elected—His influence and standing in Congress—Great popularity at home—The Presidential election—The Texas question—Its effect on Van Buren and Clay—Intrigues of Robert J. Walker—Honesty and firmness of Van Buren—Noble attitude of Mr. Clay—Nomination of James K. Polk—His characteristics—His nomination due to Walker, Gwin and Thompson—How Walker got into the Cabinet—The lost commission—Thompson re-nominated for Congress and declines a seat in the Senate—Re-elected by a large majority—Serves twelve years continuously in Congress, holding the high position of Chairman of the Committee on Indian Affairs and Chairman of the Committee on Public Lands—Mr. Buchanan elected President—Mr. Thompson appointed Secretary of the Interior—The Russell and Bailey affair—Great excitement—Prompt action of Mr. Thompson—His vindication—Election of Mr. Lincoln—Attitude of Mississippi—Delicate position of Mr. Thompson—Resigns his position—Cordial reception at home—Enters the Confederate army on the staff of Gen. Longstreet—Aid to Gen. Beauregard—Battle of Shiloh—Retreat from Corinth to Tupelo—Enters Ballentine's regiment as Lt. Colonel—His narrow escape—The battle of Coffeeville—On the staff of Gen. Pemberton—Plans the great cavalry raid—Siege of Vicksburg—With the army at Enterprise—Elected to the Legislature—Called by President Davis to Richmond—Important confidential mission to Canada—Extraordinary disclosures—His masterly plans—How defeated—Romance of the war—The St. Albans affair—Assassination of President Lincoln—Is charged by President Johnson with complicity—Characteristics of Abraham Lincoln—Mr. Thompson appeals to the public—Is menaced with impeachment and prosecution for the Russell and Bailey affair—Challenges investigation and trial—The matter dropped.

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CHAPTER XXXIII.

The Choctaws—Early traditions—The mysterious pole—The brothers—They separate—The two tribes—Pontotoc and Nanauy-ya—The Na-hon-la or giants—The Mammoth—Origin of the prairies—The Choctaws allies of the French—The Chickasaws allies of the English—Extinction of the Chocchumas—Great Ball Play and battle between the Choctaws and Creeks —Resentment of the Choctaws—Exemplified many years thereafter in a conference between Tecumseh and Pushmattaha—Social condition of the Choctaws—The wife—Criminal code—story of Pi-in-tubbe—Homicide and witchcraft—funeral ceremonies—The doom of the dead—Tribal divisions —Chiefs and Captains—How councils were convened—Ceremonies—Attachment to country—Aversion to removal—The half-breeds and full bloods—The two parties in arms—Interview between Folsom and Ne-ta-cacha—Treaty of Dancing Rabbit Creek—Pressure on the Indians—How their consent was obtained—How they were deceived—Puk-sha-nubbee—Pushmattaha—His birth—His military exploits—His death—His last words—His defence of polygamy—Greenwood Lefleur—His reforms—The Muscogees—Their origin and power—Their towns—Peculiar customs—Visit of Captain Roman to the Choctaws and Chickasaws—Their villages—The Missionaries and their labors—Early marriages—Cheap house-keeping—Indian Cookery—Superstitions—Witches—The rain-maker—Medicine Man —Characteristics of the Choctaw warrior—Of the women—Their interest in the story of the Cross—Public worship and the Sabbath—Ancient customs.

APPENDIX.

Recollections of Natchez in early times. The settlement and Pioneers of Vicksburg. The first steamer on the Ohio and Mississippi—Nicholas J. Roosevelt—His preliminary reconnoisance—Discovery of coal on the Ohio

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—Builds the steamer at Pittsburg—The voyage to Louisville—Bold and perilous passage of the Falls—The Mississippi—Earthquakes—Frightful effects—The boat on fire—Arrival at Natchez—First shipment of cotton by steam.

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CHAPTER I.

IF it be yet a mooted question whether America may not claim an older settlement and civilization than Europe, it is certain that its wars, its alliances and political complications have often been occasioned and influenced by events in this hemisphere. For quite a century, England and France were engaged in laying here the foundation of new empires, each aiming at exclusive dominion, and their collisions frequently involved all Europe in war. Between these two great powers, each asserting and fighting for their title to this country, stood the natives of the soil—a patient, brave, untutored people—regarding, with amazement, these conflicts for a territory to which neither had a right, but which, with their consent, would be more than enough for both.

These three parties, and what grew out of their conflicts and enterprises in the Valley of the Mississippi, will be treated of in these annals.

Nor must Spain, the grandest and most heroic of the mediæval powers, the pioneer in maritime enterprise and discovery, be overlooked. It was one of her sons—the gallant Ponce de Leon—who first discovered and gave name to Florida. In 1513 he there unfurled the banner of the King. This was an assertion of sovereignty that even the Indians understood. They drove off the Spaniards, and the brave de Leon afterwards died in Cuba of his wounds.*

In 1528 Pamphilo de Narvaez—the same cavalier who, eight years before, had been sent by the Governor-General of Cuba to Vera Cruz to arrest the march of Cortes—obtained from Charles V. a grant of Florida, with orders to subdue and rule it as a Spanish province. He landed in Florida with five hundred soldiers. Every foot of his progress was contested, and on the 12th of April, in a pitched battle at the village of Apalache, he was severely handled and retreated to his ships, being continually harassed on the route. He, and most of his men, perished by shipwreck, near the mouth of the Mississippi, it is conjectured, from the account of the few survivors who coasted along to Mexico.

Thus, it appears, that it was not by a band of social outcasts, driven

*The epitaph on his tomb is preserved by the Spanish Historian, Herrera:

"Mole sub hac fortis requiescunt ossa Leonis,
Qui vicit factis Nomina magna suis."

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from their country for their crimes; not by obscure adventurers for the lust of gold; not by a company of self-constituted saints, flying from religious intolerance, to establish laws still more exacting and proscriptive; but a troop of cavaliers who had shivered lances with the most approved soldiers of Christendom, and had planted the Cross, with their victorious swords, on the bloody altars of Montezuma, and in the temples of the Incas. These were the men who first trod the soil of Mississippi, and dipped their oars in the waters of our imperial river. A race of heroes, bold, arrogant and generous, who believed it their mission to carry the religion of Christ, by conquest, into the territories of the Infidel. If the age of chivalry had passed, the spirit of the Crusaders yet survived, and wherever the Spanish warriors unfurled their banner, they displayed, at the same moment, the symbols of their faith. Side by side, with the noblest of their knights, stood the consecrated priest, patient of suffering, fearless of danger, sublime in his enthusiasm. When they dragged a barbarian prince from his throne they overthrew his idols, and substituted the mass and the sacrament. If carnage and devastation attended their miraculous march, they subdued a dynasty the most despotic, released a people ground to the dust in bondage, and extirpated a worship whose altars perpetually flowed with human blood. They seized upon treasures, but they were the spoils of tyrants, who had coined them from the sweat and labor of the poor. They fired palaces and tore down gorgeous fanes, but they never burned the granaries of the peasant or destroyed the palms that supplied food for the family. This achievement of modern warfare, illustrated in the "march to the sea," and the wanton devastation of the Valley of Virginia, was unknown to the Castilian chivalry. Cruel and remorseless they may have been, but they were above all meanness. If they loved gold and scrupled not to seize it, it was not for sordid speculation, monopoly and usury, but because it supplied resources for magnificence, for princely expenditure, for the endowment of cathedrals, and the equipment of expeditions for other fields of glory.

Of this gallant race of men was FERDINAND DESOTO.* He was the son of a Squire of Badajoz, in Spain. He went to Cuba when Peter Arias was governor, with no endowment but his sword and target. His good conduct soon placed him at the head of a troop of horse, and he accompanied Pizarro to the conquest of Peru. In that campaign—in the capture of the Inca, and in the assault on the city of Cusco, and at every post of peril, his valor was pre-eminent. He amassed immense treasure, a part of which, on his return to Spain, he loaned to the Emperor. Attended by a retinue of officers, who had served with him in Peru, he presented himself at court, where his high-bred manners, his grave demeanor and lavish expenditure recom-

*The most that we know of DeSoto is from the chronicle written in 1577, by "A Portuguese Gentleman of Elvas," who accompanied him on his expedition and was with him when he died. This was translated and published by Richard Haklot, London, 1609; and from a work written by La Vega, who conversed with surviving officers of the expedition, and had before him the diaries of Alonzo de Carmona and Jules Coles, followers of DeSoto. Irving, Monette, Pickett, Flint and Meek had no other data for their narratives. They all conflict, more or less, in their theory as to his route. Without adopting their views, I base my conjecture of his line of march on the received opinion of the people who now inhabit the district he is supposed to have traversed.

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mended him to majesty. After his marriage with Donna Isabella de Bobadilla, daughter of Governor Arias, he was appointed governor of Cuba and Adelantado or President of Florida—a country then only known by the disastrous expeditions of Ponce de Leon and Narvaez. Inflamed by the spirit of adventure, he at once proclaimed his intention to invade and evangelize the territories that had been placed under his jurisdiction. Eight hundred veterans, numerous cadets from the noblest families in Spain, and a detachment of priests ready for martyrdom, repaired to his standard. On the 30th of May, 1539, he landed at Tampa bay with the strongest force and better equipped than any that had appeared in the new world.

Remembering their victorious achievements in Mexico and Peru, they anticipated an easy conquest. But everywhere on their route—on the surf-washed sands of Florida, in the cane-brakes of the Tombigbee, amidst the hills of the Coosa, on the prairies of Chick-a-sa, and in the swamps of the great river, they encountered a race of men as patient, subtle, remorseless and intrepid as themselves. Their march was one protracted conflict, interrupted only by battles as obstinate and bloody as any recorded in history. No soldiers ranked in those days with the iron-clad cavaliers of Spain. The savages who fought them at Maubila and Chick-a-sa, opposed their naked breasts to the shining armor and terrible lances of veterans, and died as nobly as the men of Thermopylæ and Marathon. Then, and ever since, in conflict with trained armies, this heroic race of southern red-men have resisted the invaders of their country with a constancy and courage "above all Greek, above all Roman fame."

Numerous historians, in their narratives of DeSoto's expedition, have graphically and with much research followed him on his march, but they all conflict in their view of the localities.

ABSTRACT FROM THE JOURNAL OF THE PORTUGUESE GENTLEMAN.

DeSoto left Tampa bay June, 1539. Twenty-six horse and sixty foot the advance guard. Marched westerly, then N. E. to an Indian village. Marched across swamps and rivers to the village of Etocole; halted eight days. Went west toward the coast and arrived at Aquacaleum; halted six days. Journeyed seven days, crossed a river, and entered the province of Veachile. Marched to Aquile on the frontier of Apalachie; crossed a river and arrived at a village called Ivalachuco. Traveled 110 leagues to Iniahaco, and then towards the sea to the place (St Marks) where Narvaez built his sloops, which we recognized by the remains of smithery and workshops, horses, bones, etc. Here the brigantines arrived with Donna Isabella. DeSoto ordered them to return to Cuba.

Marched, north, from the sea, and after five days crossed a rapid river and entered the province of Acapacheque. Extensive swamps. Marched five days to the province of Otoa; several large villages. In six days entered the province of Chisi. Three days to province of Atapaha; large villages. At the towns of Ocute and Cofaque the chiefs detailed 800 men to carry our baggage. A party of our men dispatched to explore the river up N. N. E., and to descend S. S. E. After ten days set out for Cofitachique, on river St. Helen, 30 leagues from the sea. Remained there twelve days and marched for province of Xuala. Land sterile. Ascended river St. Esprit to its source. In five days reached Guanta. The town of Chisca is built on an island in river St. Esprit. Remained there twenty-six days. Moved along the river to province of Estohee, then to province of Coca, one of the best in Florida. Halted six days and then marching W. and S.W., entered province of Italese.

From this province marched to province of Tuscaluza, and crossed a river to Mauvila, which is built on a plain, and is defended by walls. Fought a

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great battle. Remained twenty-eight days. Indians said it was forty leagues from the sea. Marched north twelve days. Suffering from cold. Reached the province of Chicasa; passage of river obstinately disputed; severe battle in which we lost 4 men, 57 horses and 300 hogs. (Here if the Indians had not suspended the fight, DeSoto would probably have perished.) Marched for the province of Alabama; entered the village of Quis-Quis, built on the bank of St. Esprit river and tributary to the chief of Pacaha. Halted twenty-eight days to build pirogues, the river being a league wide and twenty fathoms deep. Passed up to Pascaha, reached a village in a plain surrounded by walls and a ditch filled with water. Returned south towards the sea, and south-west to the province of Qusgata, on one of the arms of the great river. Halted eight days. Set out for the province of Colequa. Crossed swamps, plains and high mountains, and reached the town of Coligoa. Went S. S. W. to some villages, and there found a large river said to empty into Rio Grande. Ascended the river to province of Cayas and to province of Tula, crossing mountains and very cold. Marched, in a southeast direction, to province of Quipana, situated at the foot of high mountains. Thence, crossing the mountains, we went east and descended into a plain and to a village on a river which is said to empty into the Rio Grande. This province is called Vicanque. Very cold, snow. Went into winter quarters. Resumed our journey in March; passed through several inhabited provinces, and arrived at Anicoyanque. A cacique called Guacheyunque came to see us on the banks of the great river. We set out for his town and found it surrounded by walls and other defences. Here DeSoto died.

Moscoso (his successor) set out for Mexico; we marched westerly twenty-seven days; reached the province of Chavite, where we made halt; thence marched three days north to Aguacy. Thence through the provinces Nissone, Naponis, Nandaco and Lacarme. The country becoming more barren, and water more scarce, pushed on through the province of Hais to province of Xacitan, southward and S. S. E., and returned to Guacheyunque, and then went further up the great river to two villages thereon, where we consumed six months in building brigantines. On the second day after we set out we were attacked by savages who continued to pursue us to the sea which we reached in twenty-nine days."

On this digest of the narrative the ingenious historians referred to have constructed their programme of the march of DeSoto. They differ materially in their conclusions.

Pickett, in his history of Alabama, has an elaborate and intensely interesting account of this extraordinary march, after a careful study of all the authorities, comparing them with the traditions of the Indians. DeSoto landed at Tampa bay, May 30th, 1528. From Tampa to the modern Tallahassee. Thence entered the present State of Georgia, crossed the Okmulgee, Oconee and Ogechee, and halted on the Savannah river opposite what has since been known as Silver Bluff. Marched up that river to a town, in the present county of Habersham, then due west until he struck the waters of Coosa river; thence through the present Murray county to Chiaha, (the present Rome) the most important town he had met with. After a halt of thirty days, and a week's march, he entered the town of Coosa, on the river Coosa, in what is now Cherokee county, Alabama. Thence to the capital of the province of Coosa, which embraced the present counties of Cherokee, Benton, Talladega and Coosa, the most populous and opulent district they had yet seen. After a halt of twenty-five days he marched on through numerous villages, and arrived at Tallase, on the Tallapoosa river, the capital of a very rich district. Here he was waited on by a young warrior, the son of Tuscaloosa, who had been sent by that great chief to invite him to his capital. Passing through the modern counties Montgomery and Lowndes, and the south-western part of Dallas, they arrived at Piache, a strongly fortified town on the Ala-

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bama. Crossing this river they proceeded through the present Wilcox county, a populous and productive country, and on the 18th October found (1540) themselves before Maubila, the capital of the great Maubilian chief Tuscaloosa. It stood on the north bank of the Alabama river at a point since known as Choctaw Bluff, Clarke county, twenty-five miles above the confluence of the Alabama and Tombigbee. The town was not built in the usual style, but was an extensive barrack of sixty or eighty buildings constructed of clay, strongly fortified by a palisade of trunks of trees, deeply planted in the ground, supported by cross timbers, with towers on the wall at intervals of fifty feet. Here occurred the great battle which has been described by many writers, but more graphically and minutely by Pickett, in the History of Alabama. This great battle, though it ended in the destruction of Maubila and the flight of the Indians, was disastrous to the Spaniards, and the general sentiment was for proceeding to Ochus, the modern Pensacola, with the view of returning to Cuba. Suddenly, on the 18th November, DeSoto gave orders to march, turning his steps to the north, and denouncing death to any one who hinted at retreat. Passing through the modern counties of Clarke, Marengo and Greene, he struck the Black Warrior near the present town of Erie. Here a severe conflict occurred which lasted several days and nights before the Spaniards could cross the river, and effect a lodgment on the western bank.

This was their last battle in what is now the State of Alabama. After a march of five days, they reached the little Tombigbee, in the present county of Lowndes, Mississippi. The country between the Warrior and Tombigbee was occupied by the Choctaws, but they were much more numerous west of that river. DeSoto probably entered the present State of Mississippi at Columbus, and followed an Indian trail or buffalo path some five miles up to Lincacum's shoals, just above the mouth of the Tibbee and a little below the present town of Waverly. The Tombigbee here is bifurcated by an island, the first obstruction below Butahatchie. The gravel discharged from this stream lodged against the island and rendered both channels fordable a great part of the year, and this is the only point where the Spaniards could have forded in December. It was the crossing used by the Choctaws when going to their villages and hunting grounds east of the Tombigbee. The trail struck here a stretch of prairie, between Tibbee and Hanging Kettle creeks, and crossed the present Mobile & Ohio Railroad at Lookhattan, thence a little west of the railroad by Mulden, Prairie Station and Egypt.

The early settlers of this portion of Mississippi remember the well worn, beaten trail, long disused but distinctly defined, and can to this day trace it from plantation to plantation.

On leaving Egypt the trail tended northwest up the ridge known as Featherstone's ridge, through a series of glades three or four miles west of Okolona, and up the second bottom on the east side of Suckartonchee creek. There it struck Pontotoc ridge, four miles east of the ancient Chickasa Council House. Near this point stood the first Chickasa town, and in this vicinity the Spaniards went into winter quarters.

At that period a portion of the Chickasas still resided in the mountain

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region of East Tennessee, but a large body of them had taken possession of the territory where DeSoto found them, and their principal settlement or town, or series of villages, was on the ridge from the ancient Council House (near Redland) north fifteen miles (near Pontotoc) and northwest, on the "mean prairie" eight or ten miles, within a few miles of Tallahatchie river. On the southern bluff was the Alabama fort or town, the stronghold of the tribe of that name, in alliance with the Chickasas.*

Four miles east of the ancient Council House, on the Pontotoc ridge, near the source of Suckartonchee creek, are the vestiges of a fortified camp, evidently once strongly entrenched, after the European style of that day, with bastions and towers. Leaden balls and fragments of metal have been often found in these ruins. The enclosure was square, and the whole area, as evidenced by the remains, would have afforded shelter to the Spaniards and their live stock.

The ancient chronicles describe the Chickasa town near which DeSoto halted, as containing two hundred houses, shaded by oak and walnut trees and with rivulets on each side. These requisitions are filled in the locality referred to. Beautiful groves of oak and hickory (which the Spaniards called walnut) abound, and living streams running west to the Yazoo and east to the Tombigbee.

For a winter encampment, to recruit their exhausted energies after severe battles and a tedious march, no place more appropriate could have been selected. Water at hand, abundant mast for their hogs, cane for their horses, game in abundance, and the Chickasa towns near by well stored with corn, beans, pumpkins, nuts and dried meats.

The Chief of the Chickasas resided about two miles southeast of the present town of Pontotoc, on the head-waters of Coonawa, now called Pontotoc creek. Here was then, and for many years afterwards, a large town.†

The Pontotoc Chief often visited DeSoto, and, on one occasion, asked his co-operation in subduing a rebellious neighbor—no doubt the leader of a Tennessee band who had located, with his followers, as described in the note, in what are still called the Chickasa Old Fields. The Spaniards gave him the desired aid, and his village was burned.

The chronicles relate that DeSoto was in the habit of regaling his visitors on fresh pork—a flesh they had never before tasted. They soon commenced stealing his hogs, no doubt by order of the Chief, and whenever the thieves were caught the Spaniards chopped off their hands and let them go; a punishment the Chickasas deeply resented.

1541. The winter was unusually severe, and it was not until March that DeSoto thought of leaving his comfortable quarters. He then demanded two hundred men to carry his baggage. This ended the

*Information derived from J. N. Walton, Esq., a much respected citizen of Aberdeen, Miss., who in early life was secretary of Levi Colbert, head chief of the Chickasas, familiar with their language and with all their traditions.

†This was an old town, and one of the brothers Colbert resided there afterwards with a stock of goods. This town must not be confounded with the Chickasa Old Fields, some ten or twelve miles east, settled by the Chickasas when they finally left East Tennessee. Bienville found a large town there, which he attacked. It was some five miles northwest of Tupelo, on the Mobile and Ohio R. R., and on the old Natchez trace, which crossed the railroad about one mile south of Saltillo station and north of Tupelo.

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truce. One dark, tempestuous night, his camp was suddenly attacked. The Chickasas rushed upon it, in four detachments, on each side of the square, with yells and clamor that rose above the fury of the elements. With burning arrows they set on fire the thatched huts within the walls, and the roofs of the stables where the horses were sheltered. It was a complete surprise. DeSoto was the first to mount. He charged, attended by a solitary soldier, but they were soon followed by the rest, and it was difficult to distinguish the roar of the tempest from the clamor of the battle, a lurid light streaming from the burning camp over the wounded and the dead. At length the Indians withdrew, pursued by the Spaniards as far as they could see how to 'slay them by the blaze of their burning fortress. Day dawned upon their disasters. Forty cavaliers and troopers lay dead. Fifty horses had been burned or killed. The swine had mostly perished in the flames. The remnant of their baggage, saved at Maubilla, and most of their clothing, was here lost.*

The exact position of this entrenched camp is still indicated by the vestiges that remain. Some persons contend that DeSoto left this stronghold, advanced to Chickasilla, one mile northwest from where Pontotoc now stands, and commenced the attack on the Chickasa towns. This would reverse the detailed accounts of the writers that accompanied him, who must be accepted as the best authority where their statements can be reconciled with probabilities. It is not probable that DeSoto would have sought a battle with the warlike Chickasas, in the heart of their territory, where they could concentrate their entire strength against him. He had no intention to continue in their country; was, in fact, preparing to leave it; they had nothing to tempt his ambition or cupidity; and he had no motive for seeking a battle, which, whether victorious or defeated, must materially cripple him. His terrible fight at Maubila, and on the Black Warrior, where the Indians attacked him three times in his intrenchments, was sufficient proof of their prowess, and beyond a doubt he was preparing to get peaceably out of their country, when they assaulted his camp. History records no bolder enterprise. A fortified camp, defended by the best soldiers of Europe, armed with what the Indians called "thunder and lightning," attacked by naked savages, with bows and war clubs! All honor to this noble race of warriors—these native Mississippians—who, subsequently, in defense of their homes and firesides, defeated

*For these interesting details, specifying the localities and tracing the Spanish march, I am indebted to my correspondence with W. B. Wilkes, Esq., of Aberdeen, Miss., whose tastes incline him to archæological studies, and fortunately has the means to pursue them. He has contributed many valuable papers on this subject to the Aberdeen Examiner, all which he generously placed at my disposal, and which I would gladly introduce into this work if my limits permitted. From one of his letters to me I extract the following:

Historians are decidedly wrong when they report DeSoto as spending the winter on the Yazoo. The Chickasas never claimed as far south as the confluence of the Yalobusha and Tallahatchie. The line between the Chickasas and Choctaws left the Tombigbee at the mouth of Tibbe, up that stream and Trim-Cane and Line Creek, then due west to the Mississippi river, passing near Grenada. Before the introduction of firearms among them, their only town, or towns, was on the present route of the Mobile & Ohio Railroad, commencing five or six miles north of Tupelo and extending to Red Land, on Pontotoc Ridge, and was called Long Town. There was a path from Long Town to Natchez, long known as the "Old Natchez Trace." After their war with the French, the Chickasas ceased to trade at Natchez, and extended the trail to Nashville, crossing the Tennessee river at Colbert's ferry.

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and disgraced three French armies, sent to subdue them. And may this ever be the fate of the invader of the territory of a free people!

Thus far the route of DeSoto has been traced, in conformity with the prevailing opinions in the district traversed. The geographical features accord with the narratives of the writers who were with him. The jury of the vicinage, the early settlers, those that resided among the Chickasaws since 1775, particularly the Colberts, who were so long the rulers of the tribe, substantially agree as to the route from the ford at which he crossed the Tombigbee, until he went into winter quarters near the present Pontotoc. And this judgment tallies with the account of his own chroniclers. Some writers insist that the Spaniards wintered on the Yazoo; others say in Tallahatchie county. The Chickasa district never, at any time, extended to the Yazoo river, and as far as tradition runs, they never had a town or village in that quarter. Nor is the "open, champagne country" he traversed, to be found there. After the concentration of the tribe by the last migration from Tennessee, the bulk of the people resided in their towns in what have been long known as the "Chickasas' Old Fields," in Lee county. There Bienville attacked, and was defeated by them, in 1736. The town, or chain of villages, extended from the Old Fields, along the old Natchez trace, some fifteen miles, to what is now known as Red Lands. The English traders called this Long-town. The Indian name was Chick-wah-fallaha. After the destruction of their camp the Spaniards moved three miles to the village of Chickasilla, where they were annoyed by desultory attacks.

1541. April 25, DeSoto resumed his march in a northwesterly direction, through a populous country, and, after traveling some twelve miles, halted in a plain near the town of Alibamo. Pickett, following LeClerc Milfort, who wrote a book on Indian history in 1802, places this town on the Yazoo or Tallahatchie river. It was strongly fortified after the Indian manner. When the advance guard approached the town, the savages presented themselves in force, in their war paint. DeSoto appeared at this moment, and the Indians came rushing through their three gates to the attack. They were driven back and after an obstinate resistance, effected their escape by scaling the walls in the rear. This fort was a quadrangle, 400 paces long on either side, constructed of pickets. It was divided into a number of compartments, to enable the besieged to retreat, when hard pressed, from one to the other. It was the strongest fortification encountered since they left Maubila. The site of this town or fortress, is a matter of dispute. The Rev. Dr. Patton, in his learned and eloquent Centennial discourse, places it in Lee county, near Tupelo. It was DeSoto's last battle on the soil of Mississippi. Still shaping his course to the northwest, he struck the great river at the lower Chickasa bluff, just below old Fort Pickering, in May, 1541. Any route from the Chickasa Old Fields south of the one assumed, would have carried him into the impenetrable swamps of the Yalobusha and Tallahatchie and their tributaries, where there were no paths and no footing for men or horses.

From the Mississippi river we follow him no farther. A hundred historians have recorded his melancholy story, and eulogized his valor and military talents. That he was personally brave to audacity, persevering even to obstinacy, and a stern disciplinarian, is unquestionable. But the record shows no extraordinary military abilities. He had the

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experience of Indian warfare in his Peruvian campaigns, and yet he allowed himself to be deceived by the Maubilians, and was surprised, and near being destroyed in his intrenchments, by the Chickasas.

In their conflicts with our Indians, the Spaniards had the advantage of discipline, skilled and veteran officers, defensive armor, cavalry, swords and firearms. The Indians were naked, with bows and clubs for weapons, fighting, not compactly under trained leaders, but as individuals, without concert, or knowing when to charge or when to retreat. At first they regarded the Spaniards as demi-gods or centaurs, armed with thunder and lightning. But when they discovered that they were subject to infirmities like themselves; that they were more susceptible to suffering from exposure or wounds; that they were mean, lustful and sordid, they recovered their manhood and determined to fight them. In three pitched battles, though thousands of Indians were slaughtered, the Spaniards were virtually defeated. And at last, the wretched remnant, under Moscoso, were only saved from extermination by the rapid current of the Mississippi river. The natives, from Florida to the Mississippi, were divided into separate and hostile tribes, too jealous to combine against the invader. Had any two of them united before he crossed the Alabama, or had the Choctaws reinforced the Chickasaws, the Spaniards would have perished.

The whole march of DeSoto exhibits an eccentricity, a want of design, a dilatoriness, not characteristic of military ability. If he was searching around for an El Dorado, or for de Leon's fountain of life, his wanderings may be understood. But even with these objects, a wise leader would have cantoned his army in some well-provided and healthy position, and dispatched scouts and experts for information. No military man, in ancient or modern times, no explorer, ever conducted his followers through an unknown country, in the circuitous style adopted by DeSoto, and few marches, over such a vast distance, and occupying so much time, have been so barren of results. Had he been a Roman general and lived to return, it is quite certain the Republic would have decreed him no triumph!

The fame he acquired in Peru, he lost in Alabama and Mississippi, and neither as general or explorer, has he a title to be classed among the great. His accidental discovery of the Great River, and his subsequent death upon its shore, and burial in its waters, have associated him with it forever, and it is this, and not his talents as a soldier, that makes his name historic.

1542. After wandering about, in what is now Arkansas, without any results, DeSoto returned to the Mississippi at the place, it is probable, where Helena now stands. Here he determined to build a flotilla to transport his troops to the mouth of the river, with the hope of reaching Cuba. Learning that on the east side of the river there was a rich and cultivated country, he dispatched a detachment to procure supplies. They were driven back. Ascertaining that this people worshipped the sun—no doubt a branch of the Natchez family of Indians—DeSoto sent a message to the Chief, that he and his men were children of the sun. The haughty savage thus replied:

"*That whereas he said he was the Child of the Sunne, if he would drie vp the River he would beleeue him: and touching the rest, that hee was wont to visit none; but rather that all those of whom he had notice did visit him, serued, obeyed and paid him tributes*

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willingly or perforce: therefore if he desired to see him, it were best he should come thither: that if he came in peace, he would receiue him with speciall good will; and if in warre, in like manner hee would attend him in the towne where he was, and that for him or any other hee would not shrink one foote backe."

This review of DeSoto may be appropriately closed by an account of his death, June 5th, written by one of his followers, the "Portuguese Gentleman of Elvas," translated and printed by Richard Hacluyt, London, 1609:

Chap. 30. Of the death of the Adelantado Fernando de Soto: and how Luys Moscoso de Aluarado was elected Gouernour in his stead.

The Gouernour felt in himselfe that the houre approached, wherein hee was to leaue this present life, and called for the King's officers, Captaines and principall persons, to whom he made a speech, saying:

That now he was to goe to giue an account before the presence of God of all his life past: and since it pleased him to take him in such a time, and that the time was come, that he knew his death, that hee his most unworthie seruant did yeeld him many thankes therefore, and desired all that were present and absent, (whom he confessed himselfe to be much beholding vnto for their singular virtues, loue and loyaltie, which himselfe had well tried in the trauels, which they had suffered, which alwaies in his mind he did hope to satisfie and reward, when it should please God to giue him rest, with more prosperitie of his estate,) that they would pray to God for him, that for his mercie he would forgiue him his sinnes, and receiue his soule into eternall glorie: and that they would quit and free him of the charge which hee had ouer them, and ought vnto them all, and that they would pardon him for some wrongs which they might haue receiued of him: And to auoid some diuision, which vpon his death might fail out vpon the choice of his successour, he requested them to elect a principall person, and able to gouerne, of whom all should like well; and, when he was elected, they should sweare before him to obey him: and that he would thanke them very much in so doing; because the griefe that he had, would somewhat be asswaged, and the paine that he felt, because he left them in so great confusion, to wit, in leauing them in a strange Countrie, where they knew not where they were.

Baltasar de Gallegos answered in the name of all the rest: And first of all comforting him, he set before his eies how short the life of this world was, and with how many troubles and miseries it is accompanied, and how God shewed him a singular fauor which soonest left it: telling him many other things fit for such a time. And for the last point, that since it pleased God to take him to himselfe, although his death did iustly grieue them much, yet as wel he, as al the rest, ought of necessitie to conform themselues to the will of God. And touching the Gouernour which he commanded they should elect, he besought him, that it would please his Lordship to name him which he thought fit, and him they would obey. And presently he named *Luys de Moscoso de Aluarado* his Captaine generall. And presently he was sworne by all that were present and elected for Gouernour. The next day, being the 21. of May, 1542. departed out of this life, the valorous, virtuous, and valiant Captaine, *Don Fernando de Soto*, Gouernor of *Cuba*, and Adelantado of *Florida:* whom fortune aduanced, as it vseth to doe others, that hee might haue the higher fal. He departed in such a place, and at such a time, as in his sicknesse he had but little comfort: and the danger wherein all his people were of perishing in that Countrie, which appeared before their eies, was cause sufficient, why every one of them had need of comfort, and why they did not visit nor accompanie him as they ought to haue done. *Luys de Moscoso* determined to conceale his death from the Indians, because *Ferdinando de Soto* had made them beleeue, That the Christians were immortall; and also because they took him to be hardie, wise and valiant: and if they should know that he was dead, they would be bold to set vpon the Christians, though they lieued peaceablie by them. In regard of their disposition, and because they were nothing constant, and beleeued all that was tolde them, the Adelantado made them beleeue, that he knew some things that passed in secret among themselues, without their knowledge, how, or in what manner he came by them: and that the figure which appeared in a glasse, which he shewed them, did tell him whatsoeuer they practised and went about;

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and therefore neither in word nor deed durst they attempt anything that might be preiudiciall vnto him.

As soone as he was dead, *Luis de Moscoso* commanded to put him secretly in an house, where hee remained three daies: and remoouing him from thence, commanded him to bee buried in the night at one of the gates of the towne within the wall. And as the Indians had seene him sick, and missed him, so did they suspect what might bee. And passing by the place where he was buried, seeing the earth moued, they looked and spake one to another. *Luys de Moscoso* vnderstanding of it, commanded him to be taken vp by night, and to cast a great deal of sand into the mantles, wherein he was winded vp, wherein hee was carried in a canoe, and throwne innto the middest of the Riuer. The Cacique of *Guachoya* inquired for him, demanding what was become of his brother and Lord, the Gouernour: *Luys de Moscoso* told him, that hee was gon to heauen, as many other times he did: and because hee was to stay there certaine dais, he had left him in his place.

Monette places the village of Guachoga, where DeSoto died, at a point twenty miles below the mouth of the Arkansas. Martin, in his history of Louisiana, indicates the mouth of Red River. None of the historians concur. Col. Dupre, well known in Southern literary circles, who has closely studied the antiquities of the Mississippi valley, says: "When DeSoto returned to the Mississippi, he camped at the base of the high lands and commenced to build his boats."

"The river is constantly moving eastward from Cairo to the sea. Fort Pillow, Randolph, and every point fortified by the Confederates, have gone down into the depths of the river. Skipwith's Landing, Rodney, the old Fort at Natchez, and the White Cliffs below, Fort Adams, and other points, are rapidly receding. The great prison at Memphis is nearly gone, and the Navy Yard has disappeared. The only point at which the river touches the hills, such as those under which DeSoto was encamped, is ten miles below Helena, along the shore of "Old Town Lake." This lake was the bed of the river some three centuries back. The main channel is now leaving Helena, and, in a brief geological period, Yazoo Pass and Yazoo river will constitute the bed of the river, and Helena will stand on a lake. When I learned that Old Town Lake, below Helena, had been the channel of the Mississippi, I went to see it, with Irving's "Conquest of Florida," in my hand. I found that the embers and calcined earth of blacksmith's forges, old musket barrels, fragments of saddle-trees and oxydized bullets had there been picked up, and the cruciform handle of a dagger with a cornelian in it. DeSoto built his boats at the base of a range of high hills, that ran to the water's edge. This ridge is now known as Crawley's. Helena is at its base, and at the farthest projection of these hills toward the east. The depth of the lake to-day is that of the river in the time of DeSoto."

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CHAPTER II.

FROM the death of DeSoto, 1541 to 1608, the vast district lying southwest of his line of march, and now known as Mississippi and Louisiana, remained unexplored, and nothing more was known of the great river in which he had found his tomb. In 1608, Champlain, a French navigator, had founded Quebec. It was environed, in every quarter, by powerful and hostile tribes, and his garrison was feeble; but he introduced a more potent instrumentality for conquest and civilization—the Jesuit fathers—who faced famine and the wilderness, fagot and fire, exposure and solitary death, in their missionary vocation. One of these, Father Allonez, having penetrated to the farther shores of Lake Superior, heard, for the first time, (1669) of the existence of a great river called the Mec-a-she-ba.

In 1673, by order of the Governor of Canada, a trader of Quebec, M. Joliet, and Father Marquette, a missionary greatly beloved by the Indians, set out from Michilimackinac to search for the unknown river, and on the 17th June, 1673, they stood upon its bank, at the mouth of the Wisconsin. They descended as far as the mouth of the Arkansas, conciliating the savages, announcing the one true Faith, planting its sacred symbol, and publishing to their astounded and credulous hearers the glory of their King, and the power of his representative at Quebec.

1678. Five years afterwards, the Sieur de la Salle, a Norman, born at Rouen, and originally intended for the Jesuit brotherhood, arrived at Quebec. He embarked extensively in traffic with the Indians on the lakes, during which he conceived the theory of a northwest passage to Asia, by ascending the sources of the Mississippi, and of a direct trade with France and the West Indies by following it to its mouth. Europe had long dreamed of this mythical route to China and Japan, and in 1525 Gomez, a Spanish navigator searching for it, had reached the 46th°, north latitude. In 1534, Cartier, the French navigator, dropped anchor as far north as the parallel of 51 degrees. And in 1576, the English Capt. Frobisher, got to the straits that bear his name. In furtherance of his conception, La Salle sailed for France.

Frontenac was, at this period, Governor of Canada, and Colbert Prime Minister of Louis XIV—two men capable of comprehending and appreciating the inspiration of La Salle. He returned to Canada

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invested with honorable privileges, and accompanied by the chevalier De Tonti, an Italian soldier of fortune, specially recommended by the Prince of Conti. He had lost an arm in the service of France; and in many battles, in his devotion to La Salle, in his long and dangerous voyages, and in the services he rendered to Bienville, he maintained, to the hour of his death at Biloxi, his high character as an able, honest, inflexible and gallant leader.

After innumerable difficulties and losses, La Salle and his party reached the site of the present town of Peoria, in Illinois, and erected Fort Creve-cœur, or the Broken-heart, thus typifying their desolate and despondent condition. Leaving this post in charge of Tonti, he determined to return to Quebec, a winter voyage of twelve hundred miles, in a frail pirogue and with only two companions. He found his vessel shipwrecked and a valuable cargo of French goods lost; his flotilla of pirogues, laden with furs, destroyed in the rapids of the St Lawrence; his confidential clerk absconded, and his effects all in the hands of creditors. Making the best arrangements in his power, with undaunted spirit, he once more bid adieu to civilization, and in May, 1681, he rejoined his men at Creve-cœur. On the 6th February they floated on the Mississippi, and on the same day passed the mouth of the Missouri. On the 26th they reached Chickasaw bluff. About a hundred miles farther down they landed, invited by the demonstrations of hospitality made by the Arkansas villages. La Salle planted the arms of France and Father Zenobe erected a cross and celebrated mass, amidst profound silence.* March 20th they arrived at the villages of the Tænsas, a tribe more advanced than any they had met with; worshippers of the sun, with appropriate temples and comfortable huts. The chief, it was understood, exercised absolute sway over the tribe. "Two hours," says Father Zenobe, "before the time appointed for the chief to visit the Sieur La Salle, a master of ceremonies appeared with six men, who cleared the way over which the great chief was to pass, and erected an awning of mats to shield him from the sun. He came in a white robe, beautifully woven from the bark of trees, preceded by two men bearing fans of white plumes. A third carried before him two plates of copper brightly polished. His demeanor was stately and grave, but complaisant and engaging, and throughout the interview he manifested tokens of satisfaction, confidence and friendship."

"On the 20th of March, 1682," says De Tonti, "we arrived at the Tænsas, by whom we were exceedingly well received, and supplied with a large quantity of provisions." M. de Tonti passed a night at one of their villages, where there were about 700 men carrying arms, assembled in the place. Here again a peace was concluded. A peace was also made with the Koroas, whose chief came from their principal village *two leagues distant from that of the Natchez.* The two chiefs accompanied M. de la Salle to the banks of the river. Here the Koroa chief embarked with him to conduct him to his village, where peace was again concluded with this nation, which, besides the five other villages of which it is composed, is allied to nearly forty others.

On the 22nd of March, an observation gave 31° of latitude. We left on the 22nd and slept on an island ten leagues off. The next day we saw a canoe, and M. de la Salle ordered me to chase it, which I did, and as I was just on the point of taking it, more than 100 men appeared on the banks of the river to defend their people. M. de la Salle shouted out to me to come back, which I did. We went on and encamped opposite them. Afterwards M. de la Salle

*On his return the pious father was much affected to perceive that the cross not only remained inviolate, but that the Indians had enclosed it with a palisade.

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expressing a wish to meet them peaceably, I offered to carry to them the calumet, and went to them. At first they joined their hands, as a sign that they wished to be friends; I, who had but one hand, told our men to do the same thing.

I made the chief men among them cross over to M. de la Salle, who accompanied them to their village, three leagues inland, and passed the night there with some of his men. The next day he returned with the chief of the village where he had slept, who was a brother of the great chief of the Natchez; he conducted us to his brother's village, *situated on the hill-side, near the river.* We were well received here. The nation counts more than 300 warriors. Here they cultivate the ground, hunt and fish, like the Tænsas, and their manners are the same."

On the 6th April, they arrived at the passes, where the river divided itself into three channels, that debouch into the Gulf. And now for the first time, at the mouth of this mighty river, was heard the voices of civilized men rejoicing over the success that had crowned their daring enterprise, and mingling their solemn hymn of praise with the grand anthem of the billows. A column was erected on which they affixed the arms of France, with this inscription:

LOUIS LE GRAND,
ROI DE FRANCE ET DE NAVARRE, REIGNE;
LE NEUVIEME AVRIL, 1682.

"The whole party," says the biographer, chanted the *Te Deum*, the *Exaudiat*, the *Domine salvam fac Regem;* and then after a salute of fire arms, and cries of *Vive le Roi*, the column was erected by M. de la Salle, who, standing near it, said with a loud voice in French: "In the name of the most high, mighty, invincible and victorious Prince, Louis the Great, by the grace of God, King of France and Navarre, fourteenth of that name, this ninth day of April, one thousand six hundred and eighty-two, I, in virtue of the commission of his Majesty, which I hold in my hand, and which may be seen by all whom it may concern, have taken and do now take, in the name of his majesty, and of his successors to the crown, possession of this country of Louisiana, the seas, harbors, ports, bays, adjacent straits; and all the nations, peoples, provinces, cities, towns, villages, mines, minerals, fisheries, streams and rivers, comprised in the extent of the said Louisiana, from the mouth of the great river St. Louis, on the Eastern side, otherwise called Ohio, Alighin, Sipore, or Chuckagona, and this with the consent of the Chaonanons, Chikachas, and other people dwelling therein, with whom we have made alliance; as also along the River Colbert or Mississippi, and rivers which discharge themselves therein, from its source beyond the country of the Kious or Nadouessious, and this with their consent, and with the consent of the Motantees, Illinios, Mesigameas, Nathes, Koroas, which are the most considerable nations dwelling therein, with whom also we have made alliance, either by ourselves or by others in our behalf; as far as its mouth at the sea, or Gulf of Mexico, about the twenty-seventh degree of the elevation of the North Pole, and also to the mouth of the River of Palms; upon the assurance which we have received from all these nations, that we are the first Europeans who have descended or ascended the said River Colbert; hereby protesting against all those, who may in future undertake to invade any or all of these countries, people or lands, above described, to the prejudice of the right of his Majesty, acquired by the consent of the nations herein named. Of which, and of all that can be needed, I hereby take to witness those who hear me, and demand an act of the notary, required by law.' To which the whole assembly responded with shouts of *Vive le Roi*, and with salutes of fire arms. Moreover, the Sieur de la Salle caused to be buried at the foot of the tree to which the cross was attached, a leaden plate with the arms of France, and the following Latin inscription:

LVDOVICVS MAGNVS REGNAT.
NONO APRILLIS CIↃ IↃC LXXXII.

ROBERTVS CAVELIER, CVM DOMINO DE TONTY, LEGATO, RP. ZENOBIO MEMBRE, RECOLLECTO, ET VIGINTI GALLIS, PRIMVS HOC FLVMEN, INDE AB ILLINEORVM PAGO, ENAVIGAVIT. EJVSQVE OSTIVM FECIT PERVIVM, NONO APRILIS, ANNI CIↃ IↃC LXXXII."

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This was the first notarial act in Louisiana, and it was executed by notary Jaques de la Metane.

On their return Tonti was left in command of Fort St. Louis, Father Zenobe was sent to France to announce their discoveries, and La Salle himself soon followed, to encounter the opposition which superior merit and success usually provoke. But, aided by Frontenac, and the son of the illustrious Colbert, he triumphed over his enemies.

On the 24th July, 1684, with a frigate under the command of M. de Beaujeu, and several small vessels, with a detachment of soldiers and a number of priests and women, he sailed from Rochelle, via St. Domingo, for the Mississippi. The expedition, as in many similar cases, was badly organized. Beaujeu was jealous, treacherous and mean: By bad seamanship they steered too far to the west, and made land on the 1st January, 1685, near the river Magdelene, in the present state of Texas. Beaujeu rejected the proposition of La Salle to return to the eastward, and secretly weighed anchor and sailed for France, carrying with him the cannon balls and other military stores. Having posted his men, on the river Vaches, near the bay of St. Bernard, now Matagorda bay, La Salle set out with the remaining vessel and a few men, to search for the Mississippi. The vessel was wrecked, and most of his crew perished. He returned with the survivors to the fort, where, still undismayed himself, he found the whole command in despair. The loss of their last vessel cut off every hope of escape. La Salle resolved to cross the vast country that intervened, to Fort St. Louis, whence the Chevalier Tonti might be despatched to France for succor. He set out with twenty followers, and reached, it is conjectured, the head waters of the Sabine, where finding themselves out of ammunition and provisions, his companions insisted on returning to the fort. Placing himself again at the head of a small party he struck out towards the northeast, determined to find Tonti, or perish in the effort. On the waters of the Brazos, near the present town of Washington, Robert, Cavalier de la Salle was treacherously assassinated by his own men. They first killed his trusted followers who were in advance, and on his coming up, wan from hunger and staggering with weakness, one Duhant, concealing himself in some high grass, shot him through the head. The faithful Father Anastase gave what burial he could to his remains, and planted a rude cross over the grave. "Thus perished," says the good father in the journal which he afterwards published, our wise conductor, constant in adversity, intrepid, generous, engaging, adroit and capable of everything. He who, during a period of twenty years, had softened the fierce temper of a vast number of savage nations, was massacred by his own people, whom he had loaded with benefits."

But great crimes seldom go unavenged, even in this world. A Nemesis dogged the footsteps of the assassins. They fell to slaughtering each other. The Spaniards made the whole party prisoners and condemned them to the mines, but the Father, and the friends of La Salle, were permitted to depart, and after six months of wandering struck the Mississippi, at the mouth of the Arkansas, and finally reached Fort St. Louis.

The generous Tonti, alarmed by the prolonged absence and silence of La Salle, with whose plans for a colony on the lower Mississippi he was fully acquainted, had descended the river to its mouth in search

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of him. After fruitless inquiries, he set out again for his distant post on the Illinois river, leaving with the Indians a letter, which, fourteen years afterwards, was recovered by Iberville. "It gives me great uneasiness," says Tonti, "to be obliged to return under the misfortune of not having found you. Two canoes have examined the coast, thirty leagues towards Mexico and twenty-five towards Florida."

What iron souls and bodies these voyagers must have had in those days! Winter journeys from Quebec to Illinois, in pirogues on the stormy lakes, and by portages over a frozen wilderness! To be followed by a voyage, under a blazing sun, down the river to the Gulf of Mexico, aggravated on the return trip by the contest with the raging current! No stores, no tents, no stimulants, no medicines. Yet for fifty years this was the only mode of communication between Canada and the western posts, and the settlements of Biloxi and Louisiana. Soldier and priest alike exposed themselves in these expeditions, and in their numerous journals, so did they reconcile themselves to the inevitable, we hear no whisper of complaint. Bienville twice invaded the Chickasaws, from New Orleans, and reinforcements from Canada and the Illinois descended to the Chickasaw bluff—all voyaging in pirogues and open boats. The French sickened, but the Canadians suffered little. In 1809 several regiments of United States troops were stationed at Terre au Bœuf, near New Orleans under the command of General Wilkinson. He was ordered to transport them up the river to Natchez. The movement began about the 1st September. Gun boats and barges were used for transportation. Surgeons and an ample supply of stores and medicines, were provided. But the men died daily by dozens; one hundred were left, under shelter at Point Coupee, and sixty at Fort Adams, with competent physicians and attendants. Nine-tenths of them died. About the 30th October the troops cantoned on the hills near Washington, six miles east of Natchez. The mortality was quite as great as it had been in the vicinity of New Orleans.

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CHAPTER III.

FROM the death of La Salle, 1687, France and her colonies were engaged in war with the British, the Spaniards and the Indians. Canada was threatened with annihilation, but was preserved by the energy and military talent of Frontenac, and the posts on the Illinois were maintained by the judicious management of Tonti. But it was merely a struggle for existence. France could make no farther efforts for colonization until these exhausting wars were terminated by the treaty of Ryswick, September, 1697.

On the 10th December of the same year, M. Argoud, who held an influential office under the crown, in an elaborate memorial to the minister, Pontchartrain, urged the expediency of a colony on the Mississippi. He fortified his application with the views and opinions of the Sieur de Remonville, a man of character and fortune, who had been intimate with La Salle, whose information was minute, and whose plans were eminently wise and practical. Not an expedition for conquest, for metals or for peltries, but an agricultural colony, with trained farmers and artisans, masons, carpenters, smiths, sail makers, ship-wrights, seeds, vegetables and cocoons—these were the means he wisely recommended. At that early day he seems to have foreseen the vast agricultural resources of Louisiana, but, unfortunately, his views were not carried out.

The French government soon after dispatched an expedition under the Sieur Lemoyne d'Iberville, a Canadian by birth, who, in 1686, had signalized himself in the capture of the British settlements at Hudson's Bay, for which he was appointed governor. In 1694 he had successfully attacked British ships of superior metal to his own; and the following year he captured Fort Bourbon, and achieved more naval triumphs. He had been received in France with distinguished honors, and decorated by the king with the Cross of St. Louis. He was the third of the eleven sons of Charles Lemoyne, Baron Longueil, of Canada, all of whom held commissions in the French service.

1. Charles Lemoyne, Captain of Marines, wounded in the attack on Quebec 1690.

2. Jacques Lemoyne de St. Helene, Captain of Marines, killed in an attack on the English in Carolina.

3. Lemoyne d'Iberville, first Governor of Louisiana, died at St. Domingo, July 9th, 1706, while planning an attack on Charleston, S. C.

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4. Paul Lemoyne de Maricour, Captain of Marines, killed in an expedition against the Iriquois.

5. Lemoyne de Sevigny, died Governor of Rochester, 1734.

6. Charles Lemoyne Bienville, Officer of Marine, captured and burned by the Iriquois.

7. Lemoyne de Chateaugue, Officer of Marine, died Governor of Cayenne.

8. Lemoyne d'Apiguy, Officer of Marine, died in St. Domingo, 1701.

9. Antoine Lemoyne Sauvolle, Governor of Louisiana, died at Biloxi, 1700.

10. Lemoyne Bienville, second Governor of Louisiana, served nearly forty years, died in Paris, March 7th, 1767.

11. Jean Baptiste Lemoyne de Chateaugue, Captain of Infantry, killed on the Tombigbee by the Indians.

There were two sisters, wives of de Noyan and de la Chassaque, distinguished officers, who served in Louisiana.

The modern representative of the family is Grant, Baron Longeuil of Canada, who inherited the title and estates, through the maternal line.*

This family of soldiers is closely identified with the history of Mississippi, and the bones of several of the brothers lie buried in our soil.

On the 24th September, 1698, two frigates, Le Badine, of thirty guns and two hundred men, commanded by M. d'Iberville, and Le Marin, of thirty guns, commanded by M. le Compte de Surgere, with two store ships, sailed from Rochefort for the Mississippi. On their arrival at St. Domingo, they found Le Francois of fifty guns, commanded by M. the Marquis de Chateaumerant, who was instructed to accompany them. He brought with him Capt. Laurent de Graff,† a celebrated buccaneer, or filibusteer, who had stormed Vera Cruz in 1683, at the head of fifteen hundred men. The details of this expedition are briefly given by d'Iberville himself, in a report made to the Minister of Marine, on his return to France, dated Rochefort, July, 1699.

We took the route of Cape St. Anthony, Cuba, which we doubled on the 15th January, and on the 24th made land, near a Spanish settlement, called Apilachacola. We continued our route westwardly to the bay of Pensacola, where we found two ships at anchor near a settlement recently made by Spaniards from Vera Cruz. On the 30th we weighed anchor, and next day anchored, in eight fathoms water, in the bay of Mobile. Twelve or fourteen leagues westward, we found a place, sheltered by islands and the main land, where there is good anchorage and refuge against storms.‡ Leaving my ships here, we set out on the 21st for Malbouchia, (the name given by the savages on this coast to the Mississippi,) with two long boats, some bark canoes, and fifty-three men. We entered the river March 2d, 1699. I found it obstructed by mud banks and logs of wood, partially petrified. There was twelve feet of water. I resolved to ascend as far as the Bayou Goulas, a party of whom we had met at Biloxi. On the 7th, some thirty-five leagues up, I met some Indians called the Mougoulaches, and on the 14th, reached their village, where

*French's Historical Collections.

†As a type of a class conspicuous, at various periods in the history of the South, we give the portrait of this noted adventurer, as drawn by a contemporary writer: "Capt. de Graff was tall and straight; his countenance handsome, but not effeminate. His hair was of a golden blonde, and a moustache after the Spanish fashion that admirably became him. A better canonier was never known. He could tell exactly where a ball would strike, when he directed the gun. He was prompt, bold and determined. To resolve, undertake and execute were to him the same. He was perfectly intrepid in danger, but impatient, passionate, and swore too much. He was well acquainted with the Spanish mode of fighting, and knew them intimately, having lived a long time among them. He was a proficient in music, with a most melodious voice. Thus he distinguished himself by his politeness and refined tastes, no less than by his audacity, and wherever he went crowds gathered around to satisfy themselves whether he was a man or a demi-god."

‡Since known as Ship Island.

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we were kindly received. The chief had on a cloak of blue serge, which, he said, was presented to him by Tonti, companion of La Salle. They exhibited also axes and knives. I found no other signs of the French having visited this river. Finding myself so far up without positive proof that this was the Mississippi of La Salle, and that it might be said in France that I was deceived, I determined to visit the Onamas, (Houmas,) among whom I knew Tonti had been; moreover I would meet with that branch of the river, spoken of in the narratives, which I proposed to explore. The village of the Houmas is two and a half leagues in the interior. Was well received, but obtained no additional information. The King exhibited some presents made to him by Tonti, whom they often spoke of. Retracing my course, I arrived, on the 24th, at a small river, some five leagues above the Bayougoulas on the east side of the river. I dispatched my chaloupes, with M. de Sauvolle, down the main river, with orders to sound the Passes, and with two canoes and four men, I determined to descend this fork or outlet. (Manshac, henceforth called Iberville.) It was very narrow and some five feet deep in low water. It was full of logs, so that in many places we were obliged to make portages. After awhile it connects with other streams, and the navigation becomes good. It terminates by emptying into a lake. The lake I crossed was about three leagues wide and twenty-five long, parallel with the Mississippi, and in many places they are separated only by a narrow strip of land.*

This Pass, which I descended, is the most convenient route to reach the Indian villages. There is but little current, while that of the main river is strong and rapid, and batteaux cannot ascend it without felling trees and making long detours. In descending the Mississippi M. de Sauvolle observed a place, thirty leagues from the sea, that was not inundated. Another, some twenty leagues up, where the high land extended back, but could not explore it owing to the dense growth of cane. There are from eighteen to twenty fathoms in every part of this river, from the Houmas to the head of the Passes. My brother, in returning, procured from the Mougoulaches, the letter which Tonti, after a fruitless search for La Salle, had left there for him. It was dated at the village of the Quinnippesas, April 20th, 1685. By this name, it seems, he designated the Bayougoulas and Mougolouchas. I do not see for what reason he did so, unless it was to conceal the fact from the Spaniards and other adventurers, that the Malbouchia was the veritable Mississippi of La Salle." (Quinapisse, meaning Collepisse, a tribe of which the two others named were offshoots, as will be found in the Journal of the French officer of the Chickasaw expedition.)

I reached the ships on the 31st, finding them some forty-six leagues east southeast from the mouth of the river.

After having visited several places well adapted for settlements, I fixed on the bay of Biloxi, four leagues north of the place where the ships were anchored. We made choice of this point on account of the sheltered bay or roadstead where small vessels can come and go in safety, at all times. A place for permanent settlement can be selected at leisure. I erected a wooden fort with four bastions; two are made of hewn timber, placed together, one foot and a half thick, nine feet high; the other two of double pallisades. It is mounted with fifty-four pieces of cannon, and has a good outfit of ammunition. I left M. de Sauvolle in command; DeBienville, King's Lieutenant; Levasseur, Major; DeBordenac, Chaplain; Care, Surgeon; two Captains, two Pilots, four sailors, eighteen filibusters, thirteen Canadians, ten mechanics, six masons, thirty sub-officers and soldiers.

The journal of Perricaul,† an officer of the frigate Le Marin, gives some other details of this first expedition:

"Cat and Deer Islands were so named from the prodigious number of those

*It was on this occasion that he gave names to the lakes and streams they still bear. Amite, in token of the friendly reception he there had from the Indians; Maurepas and Pontchartrain, after two French ministers.

†Perricaul was a ship carpenter, very ingenious and intelligent. He was at Natchez when the massacre of the French occurred. His life was spared on account of his skill in making boats. They spared, likewise, the tailor of the garrison.

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animals we there killed. While building our fort we saw, for the first time, a party of Indians. With great difficulty they were, after a long delay, prevailed on to approach us. They called themselves Biloxis. M. d'Iberville gave them awls, knives, mirrors, beads, rings and vermillion. They were shown how to use these articles, which they carried away to their villages. Very soon the rumor of our arrival—of a people who came on the backs of great black birds with white wings, and who struck the tallest trees and made them fall—circulated through the country and large delegations came, with their chiefs, to smoke the pipe, and sing the song of peace. The pipe, or calumet, is a tube, about a yard long, ornamented with the feathers of the paroquet, hawk and eagle. At one end of the tube is a bowl, made of stone or earth, and sometimes of carved wood. Calumet is derived from the Norman word *chalumeau*, which is the name given to the reed or rustic pipe used by the Norman peasants. They carried the name to Canada, and in their wide intercourse with the Indians, it was soon adopted by them. In all the Indian tribes, no matter how remote from each other, there are analogies of language and customs, and they know a good deal of each other. The Pascagoulas, Chickasas, Pensacolas, Biloxis and Choctaws visited us. As a mark of honor they rubbed the face of M. d'Iberville and his brothers, with white earth. The feast and dance of the calumet continued three days. Their music consisted of large gourds filled with small shells, and a sort of drum made by stretching a dressed deer skin over a deep earthen pot. We supplied them with many useful articles, and among others, with leggings and breechings, which our Canadians taught them how to make and how to wear.

We shortly afterwards found a beautiful bay, about one league in width, by four in circumference, which M. Bienville named *Bay St. Louis*, because it was on the day of St. Louis we arrived there. We hunted there three days and killed fifty deer. Sailing westward we passed a small island and shallow body of water, which we called Heron Bay, from the vast number of those birds we found there. Leaving the sea on the larboard side we landed at an island which we called Isle au Pois, because we left our sack of peas there, as we had to decamp in a hurry on account of the small flies or cousins, which the Indians call Marangouins, (musquitos) which puncture the skin very savagely. We shortly after entered a Pass or strait which we called the Rigolets, where at some places there were vast quantities of shells. We called it Pointe aux Coquilles, and the broad lake it conducted us to had already been named by M. D'Iberville, Pontchartrain. At a distance on the left you see a bold projection of land covered with long grass and shrubbery, which we named Point aux Herbes,* where we found comfortable shelter from a high wind. Six leagues further on is a small river, called by the Indians, Choupicatcha, about one league from where the city of New Orleans has since been built.† Five leagues beyond, keeping always to the left on the lake shore, we found a cove of still water, which the Indians call bayou, which is a kind of drain through which the waters from the higher grounds are carried off. We camped here, as our Indian guide told us we could cross over to the Mississippi. Leaving our boats we passed through a cypress forest, then through a heavy canebrake, and at length stood on the bank of the great river. We gazed in silent admiration. Its banks were covered with splendid trees, and its soil seemed the richest in the world. We camped there that night, and by moonlight killed many wild turkeys that roosted, in vast numbers, over our heads, and did not seem disturbed by our guns. I never saw any in France so fat and so large.

We continued our route along the shores of the lake to make the circuit of it, and at some five leagues encamped on the borders of a *manchac*, which signifies a strait or pass. This manchac flows from the Mississippi river. Through this you enter another lake which M. d'Iberville had named Maurepas. It is about ten leagues in circumference, and two across. Next day we came to a pretty river, with clear, cool water, called by our Indians Tangibaho, (white corn.) Three leagues on we found a limpid stream, called Castein bayou, or the place of the passes. Next day, at a distance of some five leagues, we found a river, falling into the lake, which the Indians called Taleatcha, or river of pearls.

*Corrupted into Point Reserve.

†Bayou St. John.

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Here we found the shells used by the Indians to scrape out their canoes after burning them. Beautiful pearls are often found in these shells. This river is about three leagues from Pointe aux Coquilles. At this place we left lake Pontchartrain, and ascended the river about half a league, to another of its branches, which passes Pea Island. We camped here for a supply of fresh water. Next day we camped at the entrance of Bay St. Louis, near a fountain of water that flows from the hills, which M. de Bienville named Belle Fontaine.* We hunted several days around this bay and filled our boats with venison, buffalo and other game."

Father Davion and Martigny arrived at Biloxi in a pirogue. Father Davion had originally settled at Natchez for a year, but making no converts he went to the Tunicas, and erected a cross on the highest bluffs, where he said mass every morning. It was called Roche a Davion until 1764, when it became known as Loftus Heights, and afterwards and ever since as Fort Adams.† To this remote cliff, conciliating the various tribes as he traveled, the devoted priest had come bearing upon his shoulders the sacred symbols, with no hope of earthly reward, sustained only by the sublime faith that triumphs even over the terrors of death.‡ Father Martigny had come from the posts on the Illinois to inquire for him, and to take his place if he had perished; and hearing from the Indians of the colony at Biloxi, they journeyed thither—down the Mississippi—down the Manchac—along lakes Maurepas and Pontchartrain—through the Rigolets and along the Mississippi Sound, under the burning sun and profuse dews of July—camping on the desert shores at night amidst myriads of mosquitoes—with no refreshment but a calibash of tepid water and a little dried meat or parched corn! Ten days only they allowed themselves to commune with their countrymen, and then these devoted men set out, as they came, the one to resume his labors among the Tunicas, the other to establish a mission on the Yazoo, or river of death.

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*The present beautiful residence of W. A. Whitfield, Esq., known as the "Shelly Nurseries."

†Fort Adams was constructed by Maj. Isaac Guion, who had been sent by Gen Wilkinson, with a detachment of American troops, to occupy Natchez prior to its evacuation by the Spaniards. About the same time the Americans occupied Nogales, (Walnut Hills, near Vicksburg,) and the Bluffs of Margot, (Wolf,) near Memphis; the officers at Margot were Capt. Pierce, Capt. Lewis, Lieut. Steele, Ensign Fero. At Nogales, Major Kersey, Capt. Richard, Capt. Wade, Lieut. Marschalk, Lieut. Davidson. At Natchez, Capt. Guion, Capt. Heth, Capt. Demler, Lieut. Pope, Lieut. Bower, Lieut. Gregg, Ensign Clary, Ensign Scott, Surgeon Pfeifer, Qr.-Master Evans, Commissary Quin.

Col. John F. Hamtramck, 1st regiment U. S. infantry, soon after arrived, concentrated the troops at Fort Adams and assumed command.

‡In 1701, Father Francois Joliet de Montigny had visited the Natchez and Tunicas, but making no converts, returned to Quebec.

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CHAPTER IV.

ABOUT this time Bienville, on a reconnaissance in one of the bends of the Mississippi, fell in with an English ship, Captain Barr, who had been sent to explore the river and make a settlement. The Frenchman very coolly informed the Englishman that the Mississippi lay much further to the west, that this stream was a dependence of Canada, and that it had been for some time occupied by the forces of the King of France. Capt. Barr thanked him for the information so politely given, and sailed westward in search of the great river! To this day the bend is known as "the English Turn."

1699. December 7th, M. d'Iberville and M. de Surgere, with two frigates, arrived for the second time at Biloxi, bringing supplies and reinforcements, including sixty Canadians, who, nothwithstanding the cold climate in which they had been bred, seem to have been always relied on here, for all service demanding exposure and privation.*

The moment Iberville was informed of the visit of the English ship, he dispatched Bienville to ascertain from the Indians the point most exempt from inundation. He was conducted to a ridge some eighteen leagues above the Passes, and there they built a fort.

1700. On the 16th February, while engaged in its construction, the French were surprised and cheered by the arrival of the veteran de Tonti, from his distant post on the Illinois. He had been here with the illustrious La Salle. He had returned here in search of him. And now, hearing a rumor of a French settlement, he had made his third voyage.

No character in the romantic history of French exploration in North America, is so uniformly perfect and admirable as Henri de Tonti. His coolness and constancy, discretion, courage, fertility of resource and devotion to duty, never failed. His influence over the fierce tribes of the northwest, which he maintained in his remote and isolated post, even when the government at Quebec had lost its control over them, exhibits an extraordinary faculty for command, aided by great moral and personal qualities. In early life he had lost one of his hands in battle. On one occasion, when some savages were about to kill him, he expressed his surprise that they should slay one who car-

*This is a practical refutation of the notion that white labor is not available in the South.

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ried their images in his heart. Throwing open his bosom, where a small mirror was concealed, they beheld their own faces and were subdued. The one-handed chief was ever afterwards obeyed not only as a great warrior, but as a great "Medicine-man," or magician, whom it was dangerous to offend. This distinguished officer was induced to remain on our coast, and was constantly employed on important service until his death at Biloxi, in September, 1704.

1700. Iberville, Bienville and Tonti ascended the river to the Natchez villages, where they arrived February 11th. They were charmed with the country. It was determined to post a garrison there, and lay out a town which should be called "La Ville de Rosalie aux Natchez." They found here Father St. Cosme, recently arrived from Canada.*

The great chief or "Sun," with a train of six hundred followers, received the visitors. They had been, according to their own account, a numerous and powerful people, holding in subjection many other tribes. Father Le Petit, Superior of the Jesuits, who was a long time stationed in New Orleans, says:

"They inhabited a beautiful country, and were the only tribe that seemed to have an established worship. They had a temple filled with idols, rudely carved. This temple resembled an earthen oven, or the back of a tortoise, and was one hundred feet in circumference. They entered it by one small door and there was no window. Above, on the outside of the roof, were three wooden eagles, painted red, yellow and white. In front of the door was a shed where the guardian of the temple kept watch. All around was a circle of pointed pickets, capped with the skulls of their enemies who had fallen in battle. The interior was lined with shelves on which were baskets holding the bones of their most renowned chiefs, while beneath these were piled the bones of their favorite followers, who had been strangled, to attend their masters in the spirit world. In the temple they kept a small, but perpetual fire, made of bark, provided by the patriarchs of the tribe. No woman, except the mother and sisters of the Great Sun, was allowed to enter the sacred edifice. The common people dared only approach the threshhold. The sun was their deity; their great chief was called by the same name, and he, in turn, called the sun his brother. Every morning at dawn, attended by his retinue, the chief ascended a mound to converse with his celestial brother. As soon as the sun appeared in the heavens, the chief saluted with a long howl, and then waved his hand from east to west, and directed what course he should traverse!"

Chateaubriand, in his charming romances, and some of the early French writers, who often drew upon their fancy for their facts, have thrown an interest around the Natchez, as a semi-civilized and noble race, that has passed into history. We find no traces of civilization in their architecture, or in their social life and customs. Their religion was brutal and bloody, indicating an Aztec origin. They were perfidious and cruel, and if they were at all superior to the neighboring tribes it was probably due to the district they occupied—the most beautiful, healthy and productive in the valley of the Mississippi—and the influence of its attractions in substituting permanent for temporary occupation.

The residence of the grand chief was merely a spacious cabin, of

*Killed by the Chittimaches, three years afterwards, on his way to the fort on the Mississippi. Three Frenchmen were murdered at the same time. One of these Indians was subsequentiy captured and carried to Bienville at Mobile. He was tied on a wooden horse and beaten to death with clubs. The Chittimaches lived on the Lafourche and the murder took place where Donaldsonville now stands.

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one apartment, with a mat of basket work for his bed and a log for his pillow. In the middle of the room was a square stone. Those of his courtiers who entered to pay their compliments, made the circuit of this stone three times before they dared to look towards the royal couch. Then they saluted by howling three times. The chief responded with a grunt, and the degree of his favor was measured by the emphasis of his response. The gratified courtier acknowledged the royal courtesy by another prolonged howl. Whenever the chief condescended to ask a question, the etiquette was to howl before answering. When retiring the visitor howled at every step, until he crossed the royal threshhold. From this "linked sweetness long drawn out," Campbell, many years afterwards, probably derived his musical line, "the wolf's long howl on Oonalaska's shore." He who howled longest and loudest stood highest in the favor of the great chief of the Natchez!*

"When this personage dies," says Father Petit, "they demolish his house and throw up a mound, and on that they build a dwelling for the new brother of the sun."

Their notion of a future life—one of the best tests of civilization—was as low as the rest of the barbarian tribes. They believed that the good would enjoy a perpetual feast of green corn, venison and melons, and the bad be condemned to a diet of aligators and spoiled fish. What their notion was as to the distinction between the bad and the good, does not appear.

Their government was an absolute despotism. The supreme chief was master of their labor, their property, and their lives. He never labored, and when he needed provisions he issued invitations for a feast, and all the principal inhabitants were required to attend, and to bring supplies sufficient for the entertainment and for the support of the royal family, until he chose to proclaim another festival. He selected his servants from the highest circles, and when he came to die, they felt it an honor to be strangled by their nearest relatives, to howl for him in the other world.

When an heir presumptive was born, each family that had a new born infant appeared in the royal presence, and a certain number were selected to be his attendants. When this heir died, whether in infancy or in manhood, the persons thus selected were strangled. The same ceremony was observed in the families of the brothers and sisters of the chief. The government was hereditary, with, however, this remarkable peculiarity. It was not the son of the supreme chief who got the succession, but the son of his eldest sister, or, in default of a sister,

*This singular court etiquette was not more absurd than that which prevailed in France and Spain at the same period. In the former the honors of the *Fauteuil*, or elbow chair, at the king's receptions, was the prime object of ambition among ministers and marshals. And in Spain the privilege of the *Chapeau*. The distinctive privilege of a grandee of the first class was the right to put on his hat, in the King's presence, *before* he spoke. The second class could not put on their hats *until* the King addressed them. The third class of grandees remained bareheaded until the King had spoken and *they had answered him*. This old etiquette is still traceable in Spain, in the civility shown to the hat in all circles of society. A visitor is not permitted to hold his hat in his hand even for a moment, nor to put it down. It is the privilege and the duty of the host to recieve it reverently, and deposit it in a conspicuous place. On rising to go the same etiquette prevails. The host takes it up daintily and with a profound obeisance presents it to his guest.

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the son of the nearest female relative of the blood royal. This custom implies a rooted want of confidence in the virtue of the royal ladies. The most rational custom among them—one peculiar to the Natchez—was one prohibiting a princess from inter-marrying with a member of the blood royal. No mingling of kindred blood, no husband brought up in indolence and effeminacy, but one chosen from the ranks of the people for his vigor and courage. The princesses were thus restricted in their choice from motives of state, but they had the right to dismiss him and choose another as often as they pleased. If the husband, poor fellow, had indulged a *penchant* for one fairer and fonder, the noble dame very coolly ordered his head cut off! She herself, however—and in this the Natchez, perhaps, exhibited the nearest approach to civilization—was not subject to the same retribution. She might have as many lovers as she fancied, and the husband had no right to complain. In the presence of his wife, and even of her lovers, he was required to exhibit the most profound respect and satisfaction; never dared appear at her table, and howled with all his might whenever he met her! Penicault, whom we have already quoted, was at Natchez, in 1703, when the Great Female Sun died:

"She was really the Great Sun, in her own right. Her husband, who was not of the blood royal, was strangled by their eldest son, so that in death, as in life, he might be her submissive attendant, and howl to her ghost! On the outside of her house they placed all her effects on a scaffold, and on these they deposited the two corpses. They likewise put there the bodies of twelve children whom they had just strangled. These children had been brought by their parents, by order of the eldest son of the deceased, who had the right, as her successor, to put to death as many as he thought necessary to wait on her in the land of spirits. Fourteen other scaffolds were erected decorated with vines and rude paintings. These were intended for the bodies of the victims, whose nearest relatives, dressed in festive robes, surrounded them, with looks and gestures expressive of satisfaction. They then in procession marched to the great square in front of the temple and began to dance. Four days thereafter they again formed in procession and began what is called the "March of Death," from the square to the house of the deceased. The fathers and mothers of the strangled children held the bodies in their arms. The oldest of these did not appear to be over three years. The relatives of these infants, with their hair closely shaven, began to howl in the most frightful manner. But the adults, who were about to die, danced around the house of the dead princess, until finally it was set on fire by her eldest son and successor. All then marched to the great temple. The parents who carried their strangled infants, then threw them on the ground and began to dance. When the body of the deceased princess was deposited in the temple, the intended victims were undressed and seated on the ground. A cord with a noose was passed around each of their necks, and deer skins thrown over their heads. The relatives who were the executioners, then stood to the right and left of each victim, and at a given signal all were strangled. The bodies were placed on scaffolds, and the bones when dry were deposited in baskets in the temple, and this constituted a sort of patent of nobility. It was a privilege and an honor to die with the Sun."

The Natchez consisted exclusively of two classes—the Blood Royal and its connexions, and the common people, the Mich-i-mioki-quipe or Stinkards. The two classes understood each other, but spoke a different dialect.*

*In 1771 Bartram, the naturalist, describing the several towns that composed the Creek or Muscogee confederacy, notes that they spoke different dialects. Two of these towns on the Talladega waters had been founded by fugitives from the Natchez—(Abecouche and Natche) when they fled from the Chickasaw country on the second invasion of Bienville. Bartram refers to several of these confederated tribes as speaking the "Stinkard tongue."

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Their customs of war, their treatment of prisoners, their ceremonies of marriage, their feasts and fasts, their sorceries and witchcraft, differed very little from other savages. Father Charlevoix, who visited Natchez in 1721, saw no evidences of civilization. Their villages consisted of a few cabins, or rather ovens, without windows and roofed with matting. The house of the Sun was larger, plastered with mud, and a narrow bench for a seat and bed. No other furniture in the mansion of this grand dignitary, who has been described by imaginative writers as the peer of Montezuma! The people were all off at a feast, and the door of the palace was open. There was no fear of thieves, since there was nothing to steal. No chimneys and no windows to any of the dwellings. Even the temple itself was without a guardian. He had thrown aside his bark, and put three substantial logs, end to end, and gone off, doubtless, to the feast. The 'boasted temple' was a rude structure; the eagles looking like rough weather-cocks—no ornaments, only a few baskets of bones. In one corner was a rickety board table which romance writers have called an altar. A dirtier place the reverend father had never seen. In their outward appearance, dress and manner, there was nothing, says this shrewd observer, to distinguish them from other barbarians.

1700. February 13th, Iberville and his party left Natchez for the villages of the Tænsas, near lake St. Joseph, in the present parish of Tensas, Louisiana, an offshoot of the Natchez, with the same customs and faith. They had been visited by La Salle and Tonti twenty-eight years before. During this second visit, as though foreshadowing the doom the pale-faces were to bring upon the red-men, their temple was struck by lightning and consumed. To appease the Sun God the women threw their infants into the flames. Perricaul, who was of the party, thus describes this horrible incident:

"We left the Natchez and coasted along to the right, where the river is bordered with high gravelly banks for a distance of twelve leagues; at the extremity of these bluffs is a place we called Petit Gulf, on account of the whirlpool formed by the river for the distance of a quarter of a league. Eight leagues higher up we came to Grand Gulf, which we passed a short distance above on the right hand side. We landed to visit a village four leagues in the interior. These Indians are called the Tensas. (They were a portion of the Natchez nation, were never converted by the Catholic Fathers, but scrupulously observed all the religious ceremonies of the Natchez). We were well received, but I never saw a more sad, frightful and revolting spectacle than that which happened the second day, 16th April, after our arrival in the village. A sudden storm burst upon us. The lightning struck the temple, burned all their idols and reduced the whole to ashes. Quickly the Indians assembled around, making horrible cries, tearing out their hair, elevating their hands to heaven, their tawny visages turned towards the burning temple, invoking their Great Spirit, with the howling of devils possessed, to come down and extinguish the flames. They took up mud, with which they besmeared their bodies and faces. The fathers and mothers then brought their children, *and after having strangled them threw them into the flames.* M. d'Iberville was horrified at seeing such a cruel spectacle, and gave orders to stop it, by forcibly taking from them the little innocents; but with all our efforts seventeen perished in this manner, and had we not restrained them, the number would have been over two hundred."

1701. Soon after the party returned to Biloxi. Bienville was sent to command the fort on the Mississippi. Sauvolle was left as governor of the colony. Iberville himself sailed for France.

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CHAPTER V.

MUCH distress in the colony, owing to the failure of supplies expected from St. Domingo. The French had not learned to look to the soil for subsistence. D'Iberville had been specially instructed, on his second voyage, "to breed the *Buffalo* at Biloxi;* to seek for pearls; to examine the wild mulberry with the view to silk; the timber for ship-building, and to seek for mines;" but not a word said about planting grain.

The colonists were almost famished and much sickness prevailed. The accomplished Sauvolle died August 22d, and his dust now lies among the ruins of old Fort Maurepas, on the eastern extremity of the Bay of Biloxi. His brother Bienville took command.†

In December news came that two ships, commanded by his brothers Serigny and Chauteaugue, had anchored off Dauphine Island, and brought orders to Bienville to evacuate Fort Maurepas, at Biloxi, and remove to Mobile river. Leaving M. de Boisbriant in command, he

* In the 9th Annual Report of the U. S. Geological and Geographical Survey, published in 1877, there is appended an elaborate and interesting memoir on the American Bison, or Buffalo, by Prof. J. A. Allen, in which it is assumed, not from actual testimony but from the absence of testimony, that this species never inhabited the lower or seaboard portions of the Southern Gulf States, the principal reason assigned being, that the animal did not incline to a densely wooded or swampy country. The existence of vast meadows, salt marshes and prairies, extending from Florida to Texas, covered, the year round, with succulent grasses, and abounding with saline and brackish water, would seem to be the true pasture of the buffalo. Besides, a large area of the entire pine district in this quarter was very thinly timbered, abounding in grass and shrubs.

Capt. Roman, a British officer who explored Florida in 1776, says that at the head of the Manitee river he saw the foot-prints of buffalo. Perricaul, an officer who came with Bienville to Biloxi in 1701, says, in his journal, that he camped with a party several days on the east shore of Bay St. Louis, near a beautiful stream flowing from the hills, which Bienville named Bellefontaine, and that they laid in a large supply of buffalo meat and venison.

The instructions to D'Iberville, quoted in the text, would seem to be conclusive. If he was to "breed the buffalo," it is apparent he must procure the stock in the district he occupied at Biloxi. He could not transport them from Missouri.

† Sauvolle and others most probably died of yellow fever. The colonists kept up a frequent intercourse with St. Domingo, then a colony of France. Every ship for Biloxi touched at St. Domingo, and brought its fevers to the healthiest coast in the world. At a later period, a direct intercourse was opened with Africa, equally pernicious. Ignorant of the nature and treatment of these fevers, but for the extreme salubrity of the sea-coast, the whole colony would have perished.

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proceeded to Mobile. His brothers were constructing a magazine on the island for the stores from France, and he laid the foundations of the new Fort, St. Louis de la Mobile, at the mouth of Dog river. This continued to be the official centre of the colony for nine years, when, owing to inundation, the fort was removed to the present site of the city of Mobile.

1702. Fathers Davion and Limoge, missionaries, brought word that M. Foucalt, a priest and three Frenchmen, had been murdered near the mouth of the Yazoo.

1703. The English traders, from Carolina, were busy fomenting jealousies among the Alabama and Muscogee Indians against the French. The Alabamas induced Bienville to send a boat expedition after corn. The men were all massacred, save one, who was badly wounded, but escaped. He then engaged a party of Choctaws to make war on the Alabamas, thus introducing a practice which has been fatal to the red race.

1704. Great scarcity of provisions in the colony and much sickness. An arrival from France brought relief, and on the 22d July the frigate Pelican arrived, bringing a detachment of soldiers, and a large cargo of supplies. Father la Vente, who proved to be an intriguer and mischief-maker, came out as Vicar-General of the colony, and with him four priests, four Sisters of Charity, and twenty-three young girls certified by the French minister, in a dispatch to Bienville, to be of irreproachable character. They were specially under the charge of Sister Jeanne Morbe, and were all married soon after their arrival. As their descendants are yet on the seaboard of Alabama and Mississippi, their names are here recorded:

Francoise de Boisrenard, Jeanne Catherine Berenchard, Elizabeth le Penteau, Marianne Decoudreaux, Marie Noel, du Mesnil, Gabrielle Sanart, Marie Therese Brochou, Angelique Fayard, Marguerite Fayard, Marguerite Tavenier, Elizabeth Deshays, Marie Philippe, Louise Housseau, Madeline Duane, Marie Dufesne, Marguerite Geuchard, Reine Gilbert, Francoise La Fontaine, Gabrielle Binet.

1705. The first white child born in the colony, says Mr. Gayarre, in his Colonial History, was named Claude Jousset, the son of a Canadian trader in Mobile.

On the same ship came the Sieur Etienne Buree and family, five families of laborers and the first *sage-femme*, Madame Catherine de Mouthon.

About this time the Chickasaws seized several Choctaw families and sold them to the English traders, to be carried to Carolina as slaves. This caused a rupture between these tribes. There happened to be a party of some seventy Chickasaws in Mobile when this news arrived. Being afraid to undertake to pass alone through the territory of the Choctaws, they begged Bienville for an escort. He dispatched M. de Boisbriant with twenty-five Canadians. On arriving at the first village of the Choctaws, the chief said he would not oppose their passage through his country, but he desired to reproach them for their treachery, in presence of the French. He then took his stand in the centre of the square, having in his hands a pipe and a plume of eagle feathers. The Chickasaws were invited to sit around him in a circle. A *cordon* of Choctaws formed around them. The chief then said, "the French, who are proctecting you, are certainly not aware how perfidious you have been, and what injuries you have inflicted

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upon us. You have raided into our country—murdered our kindred —burned their dwellings and sold their wives and children into slavery. Instead of permitting you to pass as peaceful strangers or as honored guests, *you deserve to die.*" He then dropped his plume, which was the signal to strike. Most of the Chickasaws were slain before they could rise. Boisbriant was accidentally wounded. He was carried on a litter to Mobile, attended by three hundred warriors, to manifest their regret.

1706. The war continued between the two tribes, the Choctaws invading the territory of their enemy, burning several towns, and carrying off many prisoners. Notwithstanding this, the warlike Chickasaws, under the lead of an English trader, sent a party against the Tunicas, on the Mississippi, below Fort Adams, allies of the Choctaws and the French. The Tunicas not finding themselves strong enough to fight, abandoned their villages and sought refuge lower down among the Houmas. While there enjoying their hospitality, these refugees rose upon their entertainers, seized the village and killed more than half the tribe. The survivors fled to the shores of Lake Pontchartrain, and we see their descendants now in the markets of New Orleans, where they carry on a small traffic in herbs, roots and berries.

The Chickasaws, after this massacre of their warriors in presence of a military escort, and as they believed with its connivance, became the deadly enemies of the French. They were encouraged by the English traders from Georgia and Carolina. They watched the river and murdered numerous voyagers, descending from the Illinois to the lower colony. Nor was the internal condition of the colony satisfactory. Relying entirely on the mother country and on Mexico for bread, they were often in want. La Salle, the commisary general, an ill-tempered and jealous man, occupied himself chiefly in denouncing Bienville and his brothers, to the minister, and in this he was backed by Father La Vente, a cunning and malignant malcontent.

1707, January 1st. The Grand Vicar of Quebec arrived, and brought news of the murder of Father Cosme, of Natchez, and three Frenchmen, by the Chittemaches of La Fourche. Bienville induced the Natchez, Biloxis and Bayou-goulas to attack them, and they were nearly exterminated.

The sad intelligence came of the death of Iberville, father of the colony, and by far the ablest man that had appeared in it. Neither exposure, which had cut off many, nor famine, nor Indian hostilites, nor opposition or apathy at home, discouraged this great man. His energies never drooped. He had sounded the passes and personally explored the Mississippi as far as the Tensas; coasted and measured the bays and lakes; had erected forts on the river, at Biloxi and Mobile; had explorations made, by Bienville and St. Denys, of the La Fourche, Achafalaya, Red river, Ouachita, Arkansas and Yazoo; had opened communication with the posts on the Illinois by the new route of Manchac; and by the most indefatigable exertions, had organized a system of supplies and re-inforcements for the colony, without which it must have perished, from hunger and its enemies.

Soon after his last return from the colony, (1702) war was declared by England against France and Spain, and her cruisers swept the ocean. But he dispatched his brother Chateaugue, a skillful seaman, who succeeded in landing large supplies at Dauphine island. In 1704

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he made preparations to sail from Rochelle, but was disabled by severe and protracted illness. In 1706, in command of a formidable squadron, he sailed for Mobile, intending first to attack Charleston. He touched at St. Domingo, to take a number of soldiers, and there died of yellow fever on the 9th July. About the same time it was announced that M. de Noyan, brother-in-law of Iberville and Bienville, commanding the frigate Eagle, had died at Vera Cruz, of the same fatal disease.

In his dispatches to the minister this year, Bienville complains that his French soldiers are too young; that they sink under exposure and often desert, and he insists that his Canadians "are the pillars of the colony"—a striking illustration, that should be noted, of the ability of white men, nurtured in northern latitudes, to endure exposure and hard service in this climate. They were, too, it must be remembered, a temperate race, of primitive habits, simple in their diet and rarely given to excess.

1708. An English privateer made a descent on Dauphine island, the chief depot, and carried off and destroyed valuable stores. This year the fort was inundated, and it was decided to move it eight leagues higher up. It was built according to a plan of Bienville, a bastioned square, containing the governor's house, the king's warehouse, the magazine, the barracks and the prison. Outside there was a hospital, a school, a cemetery, and a house for the priests. Near by were quarters for the principal officers, M. de Bienville, M. de Chateaugue, de Boisbriant, Marigny de Mandeville, de Blondel, de Valaguy, de Pailloux, de St. Denis, de Chilen; M. Duclos, commisary charged with the sale of land and the administration of police; M. Jean Mache, armorer. There were other residences for people in the service, and a house for the accomodation of strangers.

At this period inundations were frequent, and it was customary to seek temporary refuge on Massacre and Dauphine islands. These islands are mere sand banks on which grow a few dwarfish pine trees, creeping vines and stunted palms. Dauphine is about seven miles in length, averaging a mile in width. The harbor in those times was at the east end, formed by a sand bank known as Spanish island. The depth of water was four to five fathoms, and afforded excellent anchorage. On approaching this harbor it was necessary to pass a bar, where M. de Iberville found, on his first visit, from twenty to twenty-one feet water. In 1706, owing to hurricanes and shifting sands, it had shallowed to fifteen feet. This anchorage could also be reached by a smaller class of vessels, by steering for Mobile bay, and crossing the bar, where the depth was about twelve feet.

The port of Dauphine was defended by a fort, under whose protection the government warehouses, and a number of private dwellings, had been built. There were some two hundred small houses enclosed in an entrenched camp surrounded by palisades. These buildings were subsequently destroyed by fire about the same time that the old fort at Biloxi burned.

M. Pouissin, formerly French Minister at Washington, says:

"When I visited this island in 1817, it was a perfect desert. It had become what nature intended it to be, the rendezvous of sea birds, and the resort of crocodiles, so abundant on that coast. A single individual had built his hut among the ruins of the old fort. He was an old pilot, brave and intelligent

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whose heart was the seat of those noble sentiments of French honor, which one is always happy to speak of wherever they are exhibited.

In the year 1814, during the last war with England, Damour, the Mobile pilot, had been sought after by the commanding officer of the English squadron then on the coast. His reputation was well known from New Orleans to Pensacola. He alone was able to pilot the ships of this squadron through the wretched islands and difficult channels that abound along the coast of Louisiana. The party in pursuit of him searched the whole of Dauphin Island. They found his hut, turned his humble furniture upside down, and, after having despaired of securing their object, set fire to his property. In the meantime, Damour, his hatred of the English unmitigated, remained concealed in the foul water of one of the ponds on the island, in the midst of rushes and crocodiles, his head alone above its surface. In this position, he witnessed the destruction of his dwelling, debarred the means of vengeance. But the brave Frenchman was afterwards revenged, for, at the attack of Fort Boyer, on the very point of Mobile Bay, the English met with a shameful defeat before the feeble bastions of a sand redoubt, defended by a handful of brave Americans under their intrepid commander, Major Boyer.

1708. The Chevalier de Muys was appointed to supersede the indefatigable Bienville, and Diron d'Artaguette commisary general in place of La Salle, with special instructions to investigate the conduct of Bienville. The new governor touched at Havana in July, and died there of yellow fever. D'Artaguette, a man of sterling character, after a thorough inquest, reported that the charges against Bienville were false and malicious.

1709. In his correspondence this year with the home government, Bienville insisted that the supplies of the colony should be made on the rich soil it possessed; but that it was impossible to make the French work, and the Indians, whom they had subjected, deserted to their villages. He proposed to send Indians to the West Indies, and exchange them for slaves. This the minister pronounced impracticable, and recommended a direct importation from Africa.

1710. On the return of D'Artaguette to France, although he vindicated the veteran Bienville, he did not present a flattering report of the colony. It had thus far been a heavy charge to the crown, without contributing either revenue or glory, and the king was glad to turn it over to Antoine Crozat, an eminent merchant. The grant was for fifteen years, with exclusive right to the commerce, navigation and occupation of the whole colony of Louisiana, from the sea to the Illinois, inclusive of what is now Missouri and Texas. He conceded likewise to Crozat forever all the lands he might open and cultivate, the proceeds of the mines he might discover, and stipulated to pay 50,000 livres per annum for the maintenance of troops in the colony. Crozat, in return agreed to pay to the king one-fourth of the proceeds of his mines, and to bring annually a cargo of slaves from Africa, and two ship loads of emigrants from France, and, after the first nine years, to pay the salaries of the king's officers and employees in the colony, reserving to himself the right to nominate these officers to the King.

In the *proces verbal* making this grant the name of the Mississippi was changed to the "river of St Louis," the Missouri to the "river St. Phillipe," the Wabash to "St Jerome."*

*The Indians of the sea coast called the Mississippi, *Mal-bou-chia*, according to Iberville.

DuPratz says the Indians of the west called it *Me-ac-cha-sippi*, *Me-she-o-be* and

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1712. The colony consisted of about five hundred persons, of whom there were about fifty white women and children and some eighty Indian slaves. They had a few cattle, hogs, goats and poultry.

The colonial expenses for the year 1711 are thus reported in the archives:

	LIVRES.
Workmen on public buildings	4,480
Twenty-three naval officers, marines and cabin boys	4,572
Superior officers	19,988
Medicine chest	506
Wax candles in Chapel	270
Presents to Indians	4,000
Military companies	27,688
Total	61,504

In the instrument transferring the colony to Crozat, who, like all successful merchants, was a man of comprehensive views, we find the first conception of that great center of trade which New Orleans has since become, but, owing to adverse circumstances, not to the extent that belongs to her unrivaled position, combining more natural resources than any other in either hemisphere. Crozat's main object in accepting a grant of the colony, was to inaugurate a trade with Mexico, Pensacola, Tampico, Vera Cruz and the coast of Campeachy—a *projet* full of profit, and entirely practicable had it not been defeated by an unexpected commercial treaty between England and Spain, whom Crozat had calculated on as beligerents. This treaty, and the competition it opened, was the prime cause of his ultimate failure.

1713. Early in May the frigate de la Fosse arrived off Dauphine island, bringing N. de la Motte Cadillac, the new governor, M. Duclos, Intendant Commisary, de Richebourg, Le Bas, Dirigonin, and d'Ursins, directors, all the nominees of the great merchant. Cadillac, like most of the French officers in the colony, had served in Canada, and had been commandant of Detroit! He now styled himself "Antoine de la Motte Cadillac, seigneur of Davaguet and Monderet, Governor of Dauphine island, Fort Louis and Biloxi, and of the province of Louisiana."

The first party organization known in this country sprung up after the arrival of Crozat's appointees. They were jealous of the popularity of Bienville, and of the enterprising officers he had about him, who were chiefly Canadians, like himself and his distinguished brothers. "On one side," says Gayarre, the brilliant historian of Louisiana, "was the new governor, the Agamemnon of his party, backed by Mandeville de Marigny, Bagot, Blondel, Latour, Villiers and Terrine, scions of noble houses, and the fanatic curate de la Vente, who stimulated them to the contest. On the other side was Bienville, the

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Mec-a-she-be, all signifying the "Father of waters." By some tribes it was known as *Chu-ca-gua*, *Mal-bok-a* and *Namese-sipon*, river of fishes.

By the Spaniards it was known, at different times, as *Rio Grande*, *Rio del Espiritu Santo*, *Rio Esconnido*.

By the French as *La Palisade*, from the number of upright snags and young cotton-wood trees on the bar and passes; subsequently as Rio Colbert, after the great minister, and then as the river St. Louis, after the King. Coxe, in his map published in London, 1741, designates it as *Mec-a-she-ba*.

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Hector of the opposition, Duclos, Boisbriant, Dutisme, Chateaugue, Serigny and others, fully a match for their antagonists."*

The new governor, chiefly because Iberville and his brothers preferred Mobile, determined to transfer his official residence to Biloxi and to make Ship Island his place of deposit. The old fort had been burned. He built another fort at what was thenceforth called New Biloxi, upon the point of land to the right of the bay, immediately fronting Ship Island. He seems to have been greatly soured and disappointed, and his whole correspondence was in disparagement of the colony, his predecessor and friends, and must have been very discouraging to Crozat. He said he found priests without a church, officials without integrity, military men without experience, women without beauty or virtue, a people who preferred Indian mistresses to European wives, and a country without mines, without commerce, improvements or capacity for production!

1716. When Bienville was superseded he retained his commision as King's Lieutenant, and was directed by the minister to place a garrison of eighty men at Natchez, where M. de Ursins had the year before established a trading post in the interest of Crozat. Frequent robberies and murders of Frenchmen on the river had occurred. The governor interposed objections, and Bienville set out with only thirty-four soldiers, commanded by Captain Richebourg (whose unpublished journal we follow) and fifteen marines. Arriving at Bayou Tunica, Father Davion, the Missionary there, warned him that the Tunicas could not be relied on. He therefore took position on an island and erected a palisade. He dispatched a pirogue with orders to pass Natchez at night, and proceed as far as the Illinois and give notice that there was war between the French and the Natchez. April 24th a deputation of Natchez warriors approached and offered the calumet. He haughtily told them to share their pipe with his soldiers, that he, the great chief of the French, would only smoke with the Great Sun and his brothers. They retired and a few days thereafter four large pirogues appeared. Eight gigantic warriors stood up and chanted the song of peace, and three chiefs, richly dressed, landed from the boats. Bienville conducted them within his defences, where they were instantly seized and bound. The Grand Sun and his brothers, the Angry Serpent and the Little Sun, were the prisoners. He informed them that the surrender of the chiefs who had instigated the murder of his countrymen, would secure their release and their lives. He allowed them that night to deliberate. Next morning they represented very plausibly that, in their absence, there was no one of sufficient authority to enforce such a demand, and they entreated that the Angry Serpent might be liberated for that purpose. Bienville allowed the Little Sun to go, and sent him with a guard, who landed him six miles below the town. In five days he returned with three heads, two of which were identified as chiefs who were parties to the murder, but the third was the head of an unoffending man, brother of the murderer who had

*The Governor, in one of his first dispatches, reports the colonists as "a miserble collection of the scum of Canada, fit only for the hangman, insubordinate, without religion, addicted to all sorts of vice, and to the Indian squaws, whom they prefer to the French."

This is almost as bad as the dispatches of Governor Sargent, 86 years afterwards, about the people of the Natchez district.

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fled. Bienville reproached them for this act and sternly demanded the head of the guilty chief, White Earth. He dispatched the High Priest of the Temple, and two warriors, for the head of that chief. The High Priest returned and reported that White Earth had fled the country. High water and sickness intervening at this juncture, the French general determined to release his prisoners on condition that they would capture and execute the refugee; return all the goods they had taken, or the value thereof; and by the first of August, cut and place at a point to be designated, 2500 pickets, and furnish the bark of cypress trees, to cover the fort and barracks to be erected at their village.

M. Pailloux, and two soldiers were sent with the Great Sun and his attendants to Natchez; the Angry Serpent and the Little Sun being retained as hostages. Four of the warriors in custody had been identified as parties to the murder of the Frenchmen. Two of these he executed forthwith and the other two a few days later. They died, as the American savage always dies, chanting their death-song and yelling defiance. The Grand Sun, on his return, convened his people, and they approved the compact, and proceeded, *en masse*, under the direction of de Pailloux, to supply the timber, and labor on the earthworks. Bienville arrived August 2d, and his men soon completed the fort. He then liberated his prisoners, and was welcomed by a grand dance in which 600 warriors and 300 women took part—a grander ball than the proud city of the bluffs has ever witnessed since, even in her palmiest days of opulence and splendor.

Thus ended the first war with the Natchez—ended by the strategy of the French leader dealing with a perfidious enemy.

The fort was placed on an eminence, some 670 yards from the river, overlooking a beautiful country of hills and dales. It was an irregular pentagon, without bastions, built of durable timber. Within the inclosure there was a magazine, store-house and barrack, the whole enveloped by a deep ditch and earth work. It was called Fort Rosalie, in honor of the wife of the Minister of Marine, the Count de Pontchartrain. M. Pailloux was left in command.*

Bienville returned to headquarters where he learned that a new governor, L'Epinay, had been appointed and that until his arrival, the administration of the colony was confided to him. Thus the mills of the gods, that grind slowly but surely, had, at last, crushed Cadillac, his inveterate enemy, and the persistent reviler of the colony.

*He had early come to the colony with the rank of Aid-Major. Returning to France he came back in 1702 as Sergeant of a company raised by M. de Chateaugue, brother of Bienville. In 1718 he was commissioned Major. In 1719 he was sent from Biloxi to prevail on the Natchez and Yazoos to make war on the Chickasaws. In 1721 he was in command of the post of New Orleans. In 1722 he was again sent on a mission to the Natchez; before the great massacre, to quiet the disturbances between the French and the Indians.

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CHAPTER VI.

D'EPINAY, the new governor, Hubert of St. Malo, commisary general, three companies of infantry and a number of laborers, with three ships loaded with provisions, merchandise and military stores, arrived at Dauphine island, which it was determined to fortify. But towards the last of August, 1717, a hurricane swept over the island and choked up the harbor with sand, and SHIP ISLAND was selected as the future place of anchorage and deposit, and there a fort and warehouses were built. Headquarters re-established at Biloxi.

Crozat, finding himself unable to conduct the colony any longer, was permitted to surrender it to the king, who transferred it to a new association called the Western, or India Company, with extraordinary and exclusive privileges, for a term of twenty-five years. In this charter the company bound itself to introduce 3000 Africans. The famous John Law, the director of the Bank of France, D'Artaguette, Receiver-General of France, Duche of Rochelle, Moreau of St. Malo, Pion of Nantes, and Costaignes and Manchard of Rochelle, were the first directors. They immediately dispatched a fleet with merchandise and emigrants, and with a commission reinstating Bienville in his old position as governor. His first act was to carry out his long cherished design, to transfer the capital of the colony to the bank of the Mississippi, and in March, 1718, he selected the present site of New Orleans, between what are now Canal and Esplanade streets, and set fifty men to clear away the timber. He likewise built and garrisoned a fort on St. Joseph's bay, in a district claimed by the Spaniards.

Ships from France continued to arrive in rapid succession, bringing large parties of immigrants, sixty of whom settled in the old Indian village of Pascagoula, which had been granted to M. Paris Duvernet. Grants of land were made and plantations opened upon the Yazoo, at Natchez, on Red river, at Baton Rouge, on the lower Mississippi, and on the Arkansas. The slave trade was inaugurated and the company fixed the value of negroes. One from seventeen to thirty years, free from bodily defects, male or female, was worth 660 livres, Three children, from eight to ten, 660 livres. Two over ten and under fifteen, same price. Half in cash and the remainder in twelve months. The wages of good laborers were ten to fifteen livres a day.

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1719. M. de Serigny, brother of Bienville, arrived with instructions to make a thorough survey and soundings of the sea board of the colony. This work was well done, and the charts of that day are still remarkable for their accuracy, except where the channels have been affected by hurricanes. He brought the startling intelligence that France had declared war against Spain. Bienville was emphatically "a fighting man," prompt and energetic, and fond of glory. He immediately convoked the Council, and decided his plans. He despatched Serigny, with two vessels and one hundred and fifty soldiers, for Pensacola bay. He ordered the Canadians and Indians to rendezvous on the Perdido river, whither he went by water with a detachment of fifty men, and marched for Pensacola. The Spanish commandant capitulated, and was sent with his garrison to Havana, where the Spanish governor perfidiously seized the ships and threw the officers and crews into prison. He manned the ships with Spaniards, and sent them with fifteen hundred soldiers and a man-of-war, to recapture Pensacola. Chateaugue was in command and preferred to resist, but at that juncture the garrison, seeing the overwhelming superiority of the enemy, refused to obey his orders. Fifty of them marched out of the fort. The commandant was allowed to surrender with the honors of war, and was sent to Spain. The Spanish general then sailed for Dauphine island where the French ship, St. Phillipe, was anchored. Serigny commanded the fort, and, refusing to surrender, the Spaniards opened a furious cannonade which they continued several days, but finally bore away for Pensacola. A marauding party sent up Mobile bay, was severely chastised by a party of Canadians and Indians, *en route* for the relief of Serigny. Eighteen of the French who deserted at Pensacola were here captured. Seventeen of these were beheaded in Mobile, and the other gibbeted on Dauphine island.

1719, September 2nd. Three French men-of-war escorting a large convoy for the colony arrived. Bienville and Serigny induced the admiral to join them in an attack on Pensacola. They followed the former route, and on the 17th invested it by sea and land. Admiral Champmeslin, after a well fought engagement of three hours, captured the entire Spanish squadron of four ships and six gunboats, and the fort on Santa Rosa island. Simultaneously Bienville stormed the defences of Pensacola. His Choctaws acted like veterans, and boldly tore down the palisades that encircled the fort. In two hours the commandant capitulated and the flag of the silver lilies was again hoisted on the fortress. The sword of Don Alphonso, the Spanish Admiral, was returned, with many compliments upon his valor, but the military commandant, Matamora, was denounced for his perfidy at Havana, and was disarmed by a common soldier. Forty of the French, who had mutinied the year before, were here captured. Twelve were hung at the yard-arms of the fleet, and the others were condemned to servitude.

The Supreme Council of the colony did not support the governor in his policy, as to the seat of government. Bienville and Hubert both favored a change, with the view to agricultural advantages, but differed in their choice. The first was wedded to New Orleans, but Hubert urged its liability to overflow, and recommended Natchez, as free from this objection and combining all the other advantages claimed by Bien-

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ville for his favorite site. The fact that Hubert owned there the valuable concession of St. Catherine, detracted from his argument, when really it should have given force to it. He was a merchant of St. Malo and strictly a man of business, with all the qualities that the name implies—shrewd, sensible, discerning. He had the whole vast colony to choose from for his private grant, and after balancing all the advantages and drawbacks, commercial and agricultural, he gave the preference to Natchez, and obtained a concession on the St. Catherine's, three miles from the river. The same considerations recommended it to him as the proper site of the colonial capital. In the heart of the richest agricultural district in the world, based upon a stratum of marl, and therefore inexhaustible—elevated, healthy, picturesque, contiguous to the alluvions on the west of the river, and offering the best and nearest approaches to the highlands beyond, sufficiently removed from the sea to be inaccessible to an invader when its own position, and the bluffs below, are properly fortified—near enough for all commercial purposes, and three hundred miles nearer the posts of the Illinois! These were the recommendations that presented themselves to his practical and comprehensive mind, and it is a great misfortune that they did not prevail. The proudest city of the new world would now have stood on the ancient village of the Natchez. Bienville was obstinate. Hubert would not surrender his conscientious convictions, formed after long consideration and personal reconnoisance. The deliberation resulted in a compromise—a term that implies many things, but which really means a concession of right, in a greater or less degree, and generally ends in successful fraud. The Council decided to continue at New Biloxi. They, at the same time, passed ordinances forbidding all vessels, not sailing under the permits of the company, from entering the colonial posts; fixed the price of peltries and produce, and the price of merchandise at the different posts by a sliding scale proportioned to the distance of transportation. In other words, the colony had the worst government on earth—an odious monopoly of absentee speculators with a subservient council and soldiery at hand to enforce their regulations.

1720. The Chickasaws massacred several Frenchmen, and, under the influence of English traders, took up the hatchet against the colony.

In July the first cargo of negroes arrived; several French vessels appeared, bringing with them the fever of St. Domingo.

Chateaugue, the brother of Bienville, liberated from a Spanish prison in consequence of peace between the two countries, now returned.

Numerous immigrants arrived for the plantations at Natchez, Pascagoula, Red river and Arkansas.*

*The first planter who settled at Natchez was M. de la Houssaye, who with fifteen laborers opened a farm on St. Catherine, in 1718, some two years after fort Rosalie had been built. He subsequently obtained a concession on the Ouachita and sold this farm to Perricaul, who was residing there when the massacre occurred, but whose life was spared on account of his skill as a boat builder. In 1719 Messrs. Pellerin and Bellecourt, with a number of laborers, opened a plantation on St. Catherine. In 1720, M. Hubert, Director-General of the colony, arrived with sixty hands to improve his concession. Perricaul says, "he took lodgings with M. de la Loire des Ursines, director of the Western Company, and after examination located his plantation on St. Catherine, about a league from the fort, and there built a large dwelling house. There was some prairie land on this concession, which he plowed and sowed in French wheat. He erected a grist mill, forge and machine shops, to manufacture arms and implements. He allowed M. de Montplaisir to locate on land about a league from his settlement, to plant to-

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Thirty girls from the Saltpetriere in Paris, arrived in the colony. The priests complain of the propensity of the colonists, and especially the Canadians, for Indian wives. The dusky maidens of Mississippi, with their flashing eyes, and their voluptuous forms, and their delicate hands and feet, and their merry laugh, and their raven hair that brushed the dew-drops as they walked, modest, chaste, drooping their glances at the approach of a warrior, were preferred to the pale-faced, conventional women of Paris, and the simple minded fathers were astonished!

As a general rule the French officers were abstemious and temperate, but this year several of the diaries record that two officers of infantry, Macarty and Maisonnoeuve, died at Ship Island, soon after their arrival of *excessive intemperance*. The first victims!

1721. The slave trade, with all its horrors, was under full headway. A ship of war arrived with one hundred and twenty, having lost one hundred and eighty on the voyage. Three other vessels followed. They were half starved on the passage and put on short allowance after their arrival, there being a great scarcity of provisions in the colony. The ship St. Charles, with a cargo of slaves, took fire sixty leagues from the coast. The crew took to the boats, leaving most of the negroes to burn with the vessel.

The Council promulgated an ordinance that a negro, a good subject, should be rated at 680 livres ($176,) and sold for tobacco and rice, payable in three annual payments. In default of payment the company seized the negro, and sold the effects of the planter to make up the deficiency. The price of leaf tobacco, delivered at New Biloxi, New Orleans or Mobile, was arranged at twenty livres per quintal; wine, one hundred and twenty livres per cask. Merchandise sold at New Orleans and Mobile at fifty per cent. advance on the original cost; seventy per cent. at Natchez and Yazoo, and one hundred per cent. in Arkansas.

By census taken this year there were 5420 whites and 600 negroes in the colony. Its expenses were 474,274 livres.

The exportation of negroes from the colony was prohibited.

The principal concessions at this date were held by John Law, 12 miles square on the Arkansas, 30 miles above its mouth. One on the Yazoo by Le Blanc and others. One at Natchez by Hubert and Colly. One on Red River, above Natchitoches, by M. de la Harpe; at Pointe Coupee by de Meuse; at Tunicas by St. Reine; at Baton Rouge by Dirond d'Artaguette; at Bayougoula by D. Duvernois; at Tchopitoulas by de Muys; at Cannes-brule by d'Artagnac; on Black river by d'Villemont; at Pascagoula by Madame d'Chaumont; at Bay St. Louis and Old Biloxi by Madame d'Mezieres; on Ouachitta by de la Houssaye; at the Houmas by M. de Ancenis.

1722. The chevalier D'Arembourg, a Swedish officer of distinction,

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bacco, which succeeds admirably after the first year. In 1721, Hubert sold his concession to M. Colly, whose agent was M. Dumanoir. They retained all the hands. All afterwards perished in the general slaughter."

Hubert found that his ownership of a large and valuable grant at Natchez, impaired the force of his recommendation of that point as the proper site of the colonial capital. He therefore sold out, and afterwards sailed for France to address his recommendation in person to the Ministers. Being a man of wealth, energy and talent, and Bienville's influence being on the wane, this early friend of Natchez would probably have succeeded, but, unforunately, he died soon after his arrival, and with him perished the scheme of transferring the capital.

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with a colony of Germans, arrived, who were soon followed by other immigrants of the same race, constituting the best element of the agricultural population.

Fort Conde, at Mobile, was substantially built of brick, and Marigny de Mandeville returning from France with the Cross of St. Louis, took command. The same mark of distinction was conferred on Boisbriant, St. Dennis and Chateaugue.

The news of the failure of the Bank of France, and of the famous Law and all his financial enterprises, created consternation in the colony.

Provisions became scarce and Bienville was compelled to billet the garrisons at Biloxi and Mobile, upon the Indians of Pearl river and Pascagoula—a striking illustration of the unaccountable neglect of agriculture by the French, and of the absolute control they exercised over the natives.

A ship arrived from France bringing a consignment of copper money, coined expressly for the colonies the preceding year.

At Fort Toulon, on the Coosa, which the French occupied as a garrison and trading post, the troops, pressed by famine, attempted to desert to the British settlements of Carolina. While the officers were at breakfast the mutineers attacked them. Captain Marchland was killed. Lieut. Villemont and Ensign Paque escaped through a port hole, and fled to a Creek village that stood on the lower limits of the present city of Wetumpka. The mutineers having plundered the fort, marched in the direction of Charleston. Villemont* having enlisted a number of warriors, intercepted and attacked them while they were fording Line creek. Eighteen fell in the conflict; two escaped, the rest were captured, taken to Mobile and executed.

This year, in September, a violent huricane swept along the coast.

M. de la Harpe, one of the most enterprising and intelligent officers in the province, was sent on an exploring expedition. He arrived at Natchez, January 20th, (1722,) and found M. de Barnaval in command of Fort Rosalie. La Harpe did not consider the fort judiciously located. Near the mouth of the Yazoo he met two large pirogues, from the Illinois, with 5,000 pounds of salted meat—the hardy predecessors of our western boatmen! He ascended the Yazoo as far as the villages of the Karoos and Chocchumas, who built their cabins upon mounds. There was every indication of there having been a numerous population, but reduced by contagious diseases and perpetual war.

A negro who had killed a Frenchman was publicly burned in New Orleans.

August 11th. A violent hurricane along the coast that sunk a number of vessels. Those in Ship Island harbor rode out the gale in safety.

1722. Bienville, at length, induced the council to declare New Orleans the seat of government.

The colony was divided into nine civil and military districts. Alabama (Fort Toulouse,) Mobile, Biloxi, New Orleans, Natchez, Yazoo, Illinois, Wabash, Arkansas and Natchitoches. A commandant and judge were appointed for each district, with an appeal to the Supreme Council. Three ecclesiastical divisions were organized. The first

*Ancestor of the Villemont family at Point Chicot, Arkansas.

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extended from the mouth of the Mississippi to the Illinois, and was confided to the Capuchins. The Jesuit fathers filled the missions from the Illinois to the Wabash. The Carmelites were stationed at Biloxi, Mobile and Fort Toulouse.

Pensacola was restored to Spain.

War between the Choctaws and Chickasaws continued. The former encouraged by the French. Bienville, in one of his dispatches, states that his allies had burned three Chickasaw towns, and brought him one hundred prisoners and four hundred scalps.

1723. Gambling was carried to such an excess, that an ordinance was passed prohibiting games of chance and betting.

A dreadful hurricane, the last of September, that overthrew the hospital, church and thirty buildings in New Orleans, swept away the crops on Mobile river and Pearl, and occasioned general distress. *On this, as on all previous occasions, Ship Island harbor was found a secure refuge.*

A company of Swiss soldiers, ordered from Biloxi to New Orleans, seized the brig and compelled the Captain to steer for Charleston.

1724. The famous "Black Code" was promulgated in the name of the king. It expelled the Jews from the colony; required that slaves should be brought up in the Roman Catholic faith; that no other religion should be tolerated; that if the owners were not true Catholics. their slaves should be confiscated for public use, and that no amalgamation of races should be allowed. It was made death to maim or kill any horse or cattle belonging to another.

On several of the plantations indigo was being successfully cultivated. The first saw mill on our sea-board must have been in operation about this time. A vessel loaded with pine plank, was dispatched from Ship Island to Cape Francois, and was ordered to bring back a full supply of indigo seed for the planters. From the same port many vessels now clear for our eastern cities, for Vera Cruz, Central America and the West Indies, Europe and Australia, with sawed and square lumber.

1725. M. Dutisme arrived from Fort Rosalie; reported that a French sergeant, in an altercation, had killed a son of one of the Natchez chiefs. Next day the Indians attempted to seize a wagon of prisoners, but were repulsed by the guard. They then attacked the French settlements on St. Catherine's, (Look-fe-a-koola), but were driven off. They ambushed and shot M. Guenot, superintendent of the plantation, and killed a number of horses and cattle. A temporary reconciliation was had, but Bienville determined on sterner measures. He repaired to Natchez with all practicable dispatch, with five hundred men, attacked the savages wherever he could find them, burned their villages and wasted their fields, until they sued for peace. He granted this on their surrendering one of the Suns, who had been prominent in the insurrection. His execution terminated the second Natchez war.

1726. And now this devoted friend of the colony took leave of the people, whom he had served so long, and sailed for France, to confront his enemies and vindicate his official conduct.* He had assisted

*Thus far, in this record, I have relied mainly on the journal of La Harpe, a French officer of education and talents, who came to Biloxi in 1718 mainly to

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his illustrious brother at the very foundation of the colony. He had been busy in the work of exploration until the death of his gifted brother Sauvolle, when he became head of affairs. He had conciliated the savages by his diplomacy, or conquered them with his sword. He had established numerous posts, and opened therewith regular routes of inter-communication. He had constantly, but vainly recommended the cultivation of the soil as the basis of colonial prosperity, and it was in reference to this policy that he so persistently urged the establishment of the capital in the rich alluvions of the Mississippi. He spent liberally in the service of the king, but accumulated no wealth for himself. During his whole administration he had been more or less embarrassed, sometimes paralyzed, by a factious, jealous and incompetent council, and was feebly supported, and often censured by the authorities in France, who cherished mean suspicions, and attached undue weight to the calumnies of his enemies. But under all these drawbacks, he left the colony in a better condition than it enjoyed under any of his successors. He was coldly received at court, and was soon notified that his services were no longer needed. M. Perier was appointed his successor. Chateaugue, his brother, who had fought with Bienville on so many fields, was removed from his position as royal lieutenant, and his two nephews, Captain and Ensign Noyan, gallant officers, were excluded from the service. The anti-Bienville faction had a complete triumph, and the veteran soldier went into strict retirement.

establish a colony on Red River, then called La Sablioniere. In 1719 he built a fort near the present Natchitoches; subsequently another one in north latitude 33°, 30', to mark the territory and jurisdiction of the French. France then claimed the whole of Texas, and St. Dennis was instructed to build a fort on the Colorado, but his force was too feeble for the enterprise. In 1723 La Harpe's health failing, he returned to France and there published his Journal. His statements are always reliable, and generally sustained by the official dispatches of the period, but there are some inaccuracies and confusion of dates.

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CHAPTER VII.

WHEN Perier reached the colony, (1727,) he found the Indians discontented and threatening. The absence and removal of Bienville, whom they dreaded, encouraged this feeling. The new governor found himself compelled to urge, at once, the policy recommended by his predecessor, of incessant vigilance, stronger garrisons and prompt retaliation. The Natchez had never forgiven the severe but proper reprisals of Bienville in 1716 and 1722. The Chickasaws, ever the enemies of the French, and much under the influence of the English, artfully fomented these discontents and projected a general confederation of the tribes, such as was subsequently conceived by Pontiac and Tecumseh, to exterminate the French from the Illinois to Biloxi.

1728. These discontents, on the part of the Natchez, have been attributed, by most writers, to the harsh and oppressive measures of the French, including the planters as well as the military. Du Pratz, a pleasing writer, who even reports, at length, the speeches made by the Natchez chiefs in their several councils, though not within three hundred miles of the theater of action, takes this view of the case. We have found no evidence to authorize such a conclusion. It is probable that the commandant, Chopart, was exacting and brutal, especially when under the influence of liquor.* But generally the

*Chopart, the French commandant, it is charged, determined to seize their village, to convert it into a plantation, and menaced the Natchez with vengeance unless they removed by a certain day. The chiefs replied that their corn, at that time, would be in the milk and not fit for harvesting, and supplicated for more time, but he refused, and they determined on revenge.

A parallel case, (if this be true,) occurred in the early settlement of Tennessee. In 1797 a number of families, under grants from North Carolina, had settled in Powell's Valley, and, in the uncertainty of boundaries, some of them had opened farms and planted their crops on land to which the Cherokee title had not been extinguished. Some had settled there in ignorance of the true boundary, but others believed that by the 31st article of the Bill of Rights of the State, the people residing south of French Broad and Holston, between the Tennessee and Big Pigeon, had the right of occupancy, and that Congress, (having admitted Tennessee as a State, without exceptions to that bill of rights,) would not disturb them. The Senators, and Representative (Gen. Andrew Jackson) made an ineffectual effort for their relief. The Governor and Legislature of Tennessee remonstrated in their favor, showing the extreme hardship of the case and deprecating the military intervention then threatened. The settlers were summarily removed. Col. Butler, in command of United States troops, and three United States Commissioners, were then appealed to by the State authorities, to allow the settlers to return simply to gather their corn, to feed their suffering families, but this was

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officers were kind and conciliatory. The French, above all other people, succeeded in fraternizing with the Indians. Singly, and in companies, they penetrated the wilderness among the most savage hordes, and seldom failed to win their confidence. They adopted the habits, customs and costumes of the tribes—acquired their language and taught them their own—joined them in their sports and on their expeditions—became as expert and as daring on the water, in the chase, and on the war-trail, as the best of the warriors—intermarried with their daughters, and exerted, everywhere, extraordinary influence. A gay, obliging, amiable people, instinctively brave and liberal, cruelty is no part of French nature. The atrocities perpetrated by the Natchez were, doubtless, prompted by their own vindictive resentment of the punishment, inflicted by Bienville, for their crimes. The universal maxim of the savage races is, blood for blood, and they never forgive.

Cruelty and oppression uniformly create hatred on the part of the oppressed, and suspicion and precaution on the part of the oppressors. But the French, at Natchez—a very feeble and helpless band in comparison with the Indians—maintained only a small garrison, and the planters were living on isolated farms, with no suspicion of hostility—a condition wholly irreconcilable with the assumption of cruelty or the fear of retribution.

The accounts given of the origin of the trouble, by contemporary writers, none of whom were present, and who had not even the opportunity of interrogating either the whites or savages who were present at the massacre, are, no doubt, in a measure, sensational and fictitious, but most historians have adopted these romances as the basis of their narratives. Very few whites escaped to tell the story; the savage actors in the tragedy afterwards fled and were killed or dispersed, and all the facts, as they really occurred, can never be known.

1729. From the numerous accounts and legends of the bloody affair, it seems propable, but is by no means certain, that an understanding had been come to between the Natchez and the Chickasaws, for a joint attack on the French, on a given day, and an equal distribution of plunder. But on the 26th November several barges arrived at Natchez with provisions, liquors and merchandise for the garrison and the planters; and the appropriation of these without a division with their allies, no doubt tempted the Natchez to anticipate the day agreed on for the attack.

On the morning of the 28th, before daylight, the Natchez divided themselves into three bands, and just as the French drum was beating the *reveille*, one of these bands appeared at the fort, one in the contiguous village occupied by the whites, and one at the concessions or farms near by. Each band represented that they were going out on a grand hunt, and had come to exchange their corn, vegetables and poultry for guns, powder and lead. Having thus introduced themselves in the fort, and in the dwellings and store-houses of the French, obtaining arms, and seeing no one on guard, at nine o'clock the pre-

peremptorily refused. And these settlers were the men who had fought at Kings Mountain, and who defended the frontiers of Virginia and Carolina from these same murdering Cherokees! What difference is there between the conduct of the U. S. authorities and the conduct imputed to Chopart?

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concerted signal was made and the massacre began. More than two hundred and fifty perished, including Chopart, de Corderi, commandant of Fort St. Peter on the Yazoo, then at Natchez on a visit, M. de Ursins, Colly, father and son, d'Longrenil, des Noyers, Baillie, etc. Father Du Poisson, who resided among the Arkansas, had arrived at Natchez on the 27th. Next day, the first Sunday of Advent, he had said mass and preached in the absence of the Cure. He was to have departed in the afternoon, but was detained to administer the sacrament to some sick persons. On Monday, the 29th, while going to administer the sacrament to one whom he had confessed during the night, he was seized by a chief, who threw him to the ground, and cut off his head by repeated blows with a hatchet.* M. de Corderi, commandant of St. Peter, drew his sword to assail this chief, but was instantly shot through the heart. They spared but two white men; most of the women and half grown children, and the negroes, were reserved for slaves, but they ripped open those that were pregnant, and killed all the infants.

While the slaughter was going on, the Great Sun took his place under the tobacco shed of the Company, and the heads of the victims were piled at his feet. Their bodies, after being mutilated, were left to the dogs and buzzards. They next proceeded to seize and apportion the spoils. While the liquors lasted, the whole body of the Indians were helplessly intoxicated. A band of the Karous or Yazoos chanced to pass at this time. They had long been affiliated with the Natchez, and a portion of the plunder was allotted to them. When they reached their village, it was determined to attack fort St. Peter.

December 11th, the missionary priest, Father Souel, returning from a visit to the chief of the Yazoos, while crossing a ravine, was shot dead. The savages rushed to his cabin to plunder it, but his faithful negro bravely fought them at the door; he wounded several, but was finally killed. "Fortunately," says Father Petit, Superior of the Jesuits, whose journal we mainly follow, "this brave man had received baptism a month before, and was leading a most Christian life."

Early next morning the Indians presented themselves at the fort, and were received without suspicion by the temporary commandant, the Chevalier des Roches. In a few moments the whole garrison was butchered, except a few women reserved for slaves.

Father Doutreleau, missionary among the Illinois, his Indians being on their winter hunt, had set out in a pirogue for New Orleans, to consult Father Petit, the Superior of his Order. January 1st, 1730, he landed with his crew, at the mouth of the Yazoo, to say mass. A party of Indians approached who said they were Yazoos, friends of the French. At this moment his men fired the only two muskets they had at a flock of geese that were passing over, and did not re-charge,

*In Kip's book on the "Early Jesuit Missions," there is an extract from the Journal of Father Du Poisson: "June 13th, 1727," says he, "we arrived at Natchez. We immediately made our visit to Father Philibert, a Capuchin, who is the Cure. He is a man of good education, who was not frightened at seeing me, as some of his brethren had been, in New Orleans. (There was rivalry and jealousy between the orders.) He was a man of worth and very zealous.

The French settlement here has become important. They raise a great deal of very superior indigo. The excessive heat and the necessity of repairing our canoes, prevented us from going to the concessions or to the Indian village. This village is distant one league from that of the French."

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because mass was about to commence. Just as the Father was saying the *Kyrie Eleison*, the treacherous savages fired. The missionary, perceiving himself wounded, one of his followers killed, and the four others flying, fell upon his knees to receive the fatal blow, which he regarded as inevitable. But they stood at a distance and fired on him twice. He then fled, and plunging into the water reached the boat in which were two of his men. Turning to look for his pursuers, he received in his mouth a discharge of small shot that flattened against his teeth. One of his men had his leg broken by a musket ball. Making their escape with difficulty, they expected to obtain relief at Fort Rosalie, but perceiving no flag flying and several houses smoking, and no persons visible, they hurried by to the French post at Tunica.

Several Frenchmen on the Ouachita, and a number of traders descending the Mississippi, were ambuscaded and slain.

This dreadful massacre spread consternation throughout the colony, and roused the authorities to the necessity of action. Gov. Perier dispatched couriers to all the posts, even to the Illinois, not by the direct and ordinary river route, which was too hazardous, but on one side by Red River, and on the other side by Mobile. He armed the planters and exhorted them to incessant vigilance. He stationed two ships, the Duc de Bourbon and Alexandre, at the mouth of Bayou Tunica, to serve as fortresses, and, in case of emergency, as asylums for women and children. He caused a ditch to be dug around New Orleans, and erected block houses at the four angles. He organized, for its defense, several military companies, who mounted guard every night. Block houses, well manned, were erected at Tchopitoulas, Cannesbrule, Allemandes, Bayougoulas and Point Coupee. A general insurrection of the Indians was apprehended. The home government was urgently appealed to for reinforcements. M. le Seur, one of Bienville's most trusted agents, was dispatched to the Thacta (Choctaw,) villages to solicit their co-operation. Having taken these precautions, Perier intended to lead his army, in person, against the Natchez, but an outbreak among the negroes, and the general apprehension of an attack upon the city, determined him to confide the command to the Chevalier de Loubois, a veteran trained in the wars of France, and an approved officer in the colonial service. While Loubois, with his command, was pursuing his way by the river to Natchez, Le Seur, with seven hundred Choctaws, was marching through the country for the same point. His scouts reported that the Natchez seemed ignorant of the movement against them, and were chiefly occupied in feasting and dancing. Le Seur considered it prudent and proper to await the arrival of Loubois, but the Choctaws could not be restrained, and on the 27th January, before daylight, they surprised the Natchez in their principal village. They slew and scalped sixty warriors, and rescued fifty-nine women and children, and one hundred and fifty negroes, all of whom had been held as slaves since the massacre, and subjected to extreme ill-usage. But for Le Seur's injunction to make the rescue of the prisoners the main object, this attack would have been still more disastrous to the Natchez. The Choctaws lost but two killed and seven or eight wounded. They encamped, after the battle, on the farm of St. Malo, on St. Catherines, in an open field enclosed with stakes.

The Natchez, awakened by this unexpected and bloody assault, to

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the perils gathering around them, retreated to their forts and passed their nights in dancing the death dance.

Three days before this surprise, Loubois had dispatched the Sieur Mesplex, and five soldiers, to ascertain the temper of the Natchez, and submit overtures for the captives in their hands. At the landing, while in the act of leaving their boat, they were fired on and three of the party fell. The survivors surrendered; one of these the Natchez dispatched to Loubois, offering to return all their prisoners on the receipt of two hundred muskets, two hundred barrels of powder, two hundred barrels of balls, two thousand flints, two hundred knives, two hundred hatchets, two hundred pickaxes, five hogsheads of brandy, twenty casks of wine, twenty barrels of vermillion, two hundred shirts, twenty pieces of linen, twenty pieces of cloth, twenty laced coats, twenty plumed chapeaux and one hundred overcoats. They required, likewise, as hostages, M. de Brontin, ex-commandant of Fort Rosalie, and the chief of the Tunicas, then with the army of Loubois. On the same day that this impudent demand was made, with every preliminary of torture, long protracted, they burned the unfortunate Mesplex and his comrades.

We now quote from the MS. journal of a French officer, who accompanied the expedition from New Orleans to Natchez:*

1730, February 8th. This morning we arrived at Natchez with one-half of the army, and landed on the western bank of the river. Dispatched a captain and thirty men to reconnoitre the landing opposite. Some Choctaws presented themselves and reported that on the 27th January, before day-break, they had surprised the Natchez, who had ever since been shut up in their forts. Upon this news we crossed over, and camped with them on the concession of St. Catherine, a league inland, and not far from the strongholds of our enemy. The Choctaws declared that they meant to assault the forts that night, but no movement took place. Heavy rain all night.

9th.—Moved our camp fifty yards above on the bank of the creek. The Choctaws asked of us ten men to aid them in seizing the great chief of the Natchez, with whom they proposed to hold a parley. A band of the Natchez came out for the conference, but a Choctaw recognizing among them a warrior who had killed one of his kinsmen, instantly shot him down. They returned the fire and retreated into the fort. In this *melee* one of our men was slain.

10th.—This afternoon the other division of the army arrived, with two pieces of cannon.

Returning to camp, had the pleasure of finding the head chief of the Choctaws in full possession of my tent and very drunk.

Went with a detachment to superintend the landing and removal of the artillery.

12th.—Rejoined the command and skirmished with the enemy all day. Incessant rain all night.

13th.—A parley, but without results. Reconnoitered the ground and selected the so-called "grand temple," as a post. Have thrown up an entrenchment and mounted our cannon.

14th.—Opened on the fort, which they returned with a heavy fire.

During the night charged my pieces with grape, and trained them on the cane-brake. Soon afterwards the Natchez came stealthily forward, under cover of the cane, intending, doubtless, to drive us from our position. Drove them back with my grape shot.

15th—19th.—Frequent parleys. Our men making gabions for assault. Four more cannon put in position.

20th, 21st.—Mining.

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*Kindly sent to me by Col. B. F. French, of New York, who copied it from the original in Paris. It has been translated as literally as the old French of that date can be rendered, by Fernand Claiborne, Esq., of New Orleans.

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22d.—Mining continued. Last night, for four hours, we resisted a desperate attack. Two hundred men advanced, under cover of the cane, and a band of one hundred, a forlorn hope, made a rush at our battery. They penetrated our works, overthrew the mantelets and got as far as the last retrenchment. They carried guns covered with wool—"*convertes de laine et pelles.*"* They attacked the battery and the temple at the same moment. We received them with musketry and grape shot.

After a sharp combat, we drove them from the retrenchment, and they retreated into the canes. We repaired our works during the night.

23d.—The Choctaws informed us that they desired to withdraw. We have erected a battery within eighty yards of the fort, and put in position three four-pounders; have opened the trench fifteen yards further, and have there put two mantelets, and a gun charged with grape. Opened fire upon Fort de la Valeur,† which was promptly returned, and our cannoneer, and three men at the battery, were wounded. Our fire being so ineffectual, that of the enemy so spirited, our ammunition failing and our allies having withdrawn, it was deemed expedient to take position on the bank of the river. I set out, with two engineers, to make a reconnoisance. Reported in the afternoon. I found our commander holding a parley with the Natchez of Fort de la Farine,‡ which had hoisted a white flag early in the forenoon, and had kept it flying while we were firing upon them. They offered to release the captive women and children and negroes, on the condition that we should withdraw our batteries. A suspension of arms was agreed to.

24th.—In the morning we dismantled our batteries and the captives were delivered. Recognizing among the negroes three that had united with the Natchez in the night attack on the 22d, I ordered them to be tied. Two were seized, but, as we were in the act of binding the third one, he placed a knife between his teeth and leaped into the river, when he was shot."

Father Petit, Superior of the Jesuits, referring to this campaign, says, the impatience and impracticability of the Choctaws, who, like all other Indians, strike one blow and then disperse; the small number of French, who found themselves rapidly diminishing from sickness and fatigue; the scarcity of provisions, which our allies wasted and pilfered; the failure of ammunition, which the Choctaws wasted, one-half in useless firing and the other half in hunting; these considerations, with the stubborn resistance of the Natchez, who were fortified after our own models, with the guns and ammunition of the former garrison, decided M. Loubois to listen to their overtures. They threatened, if we persisted, to burn all the prisoners, while, on the other hand, they should be liberated if our batteries were demolished. These, for the want of good artillerists, had in fact, proved very inefficient. We accepted the proposal to save the captives, and a truce of five days was agreed upon. The batteries were withdrawn and the prisoners delivered. But on the morning of the 26th it was ascertained that, during the night, the entire body of the Natchez had withdrawn from their defences. They had crossed the river or sought the cover of swamps and cane-brakes, and were beyond pursuit."

Loubois then constructed a strong earth-work on the bluff, garrisoned it with a hundred and twenty men, and returned to New Orleans.‖

In this the last struggle for their beautiful country, the Natchez made a heroic resistance, as the red men of this continent always have made against the invader. No race in modern times, nor Greek nor Roman, in the grand old historic days, have more bravely defended

*This must mean that, as it was raining, they protected their fire-arms with skins with the wool or fur on them.

†Name given by the French to the fort occupied by the Natchez.

‡Name given by the French to the fort occupied by the Natchez.

‖This was the earth-work, long visible and known as "the old fort," until it went down in the great land slide, commemorated in a series of brilliant historical sketches by the Hon. J. D. Shields, of the Natchez bar. It must not be confounded with the original Fort Rosalie, built by Bienville, in 1716, and occupied by the French when the massacre occurred.

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their homes, and exhibited more constancy and fortitude when driven from them. Had the Chickasaws united with the Natchez, as seems at one time to have been contemplated, all the interior posts and settlements would have been destroyed and the capital itself been in jeopardy. For some unexplained reason the Chickasaws, who had used all their arts to stimulate the Natchez against the French, and perhaps promised their co-operation, failed to appear. It is probable they were willing to see both the French and the Natchez perish. The Choctaws advanced under the banner of a French officer, and struck an unexpected and terrible blow.

These defections have occasioned many conjectures, and many legends. We adopt the version of Father Petit, that the seizure of the richly laden barges on the 26th November, to divide the spoils among themselves, induced the Natchez to precipitate the day agreed on for the massacre. But we give, among many similar narratives, the following from the notes of Col. Anthony Hutchins, who visited the district in 1772. He selected a settlement on St. Catherine creek. Soon after he fell in with, and secured the attachment of an Indian, who claimed to be of the Natchez tribe. He advised the Colonel to give up his settlement, and offered to show him "a sacred place, guarded by good spirits, where the water was always sweet." He conducted him through the cane, over hills and slopes timbered with magnolia, walnut, sassafras and mulberry, trellised with grape vines, to the White Apple village, the hereditary residence of a chief of that name. It stood twelve miles south of Fort Rosalie, three miles east of the river, on a beautiful stream new known as Second creek, on what is now called the Homochitto or Woodville road. A large field had been cultivated by the Indians, and on a spacious and commanding mound had stood the wigwam of the chief. The Indian then conducted him to the White Cliffs, (since known as Ellis' cliffs) on whose lofty brow, frowning over the whirling waters beneath, had been the village of the noted chief, Terre Blanche, or White Earth. "When the French first came," said the guide, "they were welcomed; and the white and the red men were brothers. But after a while the French, not content with the use of what land they desired and a liberal share of the crops, coveted even the fields where these crops were grown. They ordered the chiefs to abandon their villages and fields, that the white people and their slaves might occupy them. Dreading the power of the French and frightened by their menaces, our chiefs consented to go, but begged for time to harvest their crops, then not matured. The commanding officer granted only a month. Finding that they were to be starved as well as exiled, my fathers resolved on resistance. They dispatched runners to the Chickasaws and Choctaws, to invite their co-operation against a common enemy. Twenty days were to transpire before the three tribes, having united, were to make a simultaneous attack. That no mistake might be made a quiver of twenty arrows was sent to each tribe. One was to be withdrawn and broken every morning before they resumed their march. At day-break on the morning when the last of the twenty arrows should be broken, the three tribes would commence the attack, and equally share the spoils.

The quiver of the Natchez was deposited in the Temple of the Sun, and it was the duty of the guardian to withdraw an arrow every morning and consume it in the sacred fire. Only the great chiefs and the

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princesses of the blood royal had the privilege to enter this consecrated edifice. One of these princesses, Stel-o-na, the beautiful daughter of White Apple, loved the Sieur de Mace, a lieutenant of the French, and hoping to save his life and not dreaming of the destruction she was bringing upon her people, she disclosed to him the fatal secret. He communicated it to the commandant, who rejected the story, and put de Mace under arrest. The Princess then entered the temple, and clandestinely abstracted two arrows from the quiver. This precipitated the attack before the Choctaws, who were on the march, could arrive at the point of rendezvous. A general massacre of the French ensued. The Natchez monopolized all the rich spoils themselves. This disgusted the Choctaws and they united with the French to exterminate the Natchez."

Bartram, the naturalist, in his travels through Florida, says that in 1777, he visited an aged French planter at Point Coupee, who said he was residing on a plantation, near Natchez, when the massacre commenced, and was one of the few that escaped. His narrative coincides with the one given to Col. Hutchins. Bossu, an early traveler in Louisiana, mentions the incident of the young Natchez girl and her French lover, de Mace.

Du Pratz professes to have had an interview in New Orleans, with the female Sun, "Stung Arm," an aged woman, who told him what she had done to save the French, and that, at the risk of her life, she extracted two arrows from the quiver in the temple.

A young girl, like the princess Stel-o-na, might have done this for such a lover as de Mace, but not an old woman with one foot in the grave! Du Pratz was a man of influence, and if he credited the story of the "Stung Arm," it is singular he did not report it to the Governor, and prevent her being deported and sold, with her brethren, into slavery.

It is not at all probable that the Choctaws ever entered into an alliance with the Natchez. There was no affinity between these tribes, and they were jealous of each other. The Choctaws had been always the allies of the French, who had encouraged them in their wars with the Chickasaws. Delegations of their warriors constantly visited Fort Toulouse, Mobile, Biloxi and New Orleans, and were kindly entertained. And the first step that Perier had taken, when he determined on war with the Natchez, was to dispatch Le Seur, a favorite with the Choctaws, to solicit their co-operation. The Natchez had an exaggerated notion of their own prowess and felt themselves able to contend with the French, without allies, at least none other than the Chickasaws, whose assistance, it is probable, had been promised.

The sudden retreat of the Natchez cannot now be explained. They had succesfully resisted the French, who having obtained the prisoners had dismantled their batteries and withdrawn from their position on the hill to the bank of the river. They had been, in fact, defeated, and were preparing to retire, when to their astonishment, it was found that the Natchez had fled.

The flight of the Natchez and the surrender of their country, by no means subdued their animosity against the French. They assembled near what is now known as Trinity, in the parish of Catahoula, La., just above the junction of Little river with the Ouachita, which is then styled Black river. There stands an imposing mound, regularly ter-

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raced, monument of the pre-historic race, environed by smaller tumuli, by whom built or for what purpose was not known to the fugitives who halted there, nor is it known to us of the present day. There are no ditches, no circumvallations, nothing to indicate a battle-ground, only these mysterious remains of an unknown people. The fugitives halted there because it was the first high ground sufficiently remote from the French; it was a point accessible to the scattered remnants of their tribe; and convenient to retreat from in the event of pursuit.

Most writers assign this as the place where they were, subsequently, beseiged and defeated, but no evidence of such a battle has ever been found there. On the battle-fields of Bienville and De Vaudreuil in the Chickasaw country, and on the trail of De Soto, from Florida to the Mississippi, fragments of armor, copper breast-plates, lance-heads, broken swords, balls of iron and lead, have been frequently found, but no such relic has been discovered at Trinity.

The Natchez remained there, however, long enough to make a descent on the Tunicas, the allies of the French, and nearly exterminated them. They likewise closely watched the Mississippi and Red rivers, and ambushed many Frenchmen going to and from the different posts.

Governor Perier had been steadily making arrangements for a decisive campaign against these unrelenting enemies, and was only waiting for re-inforcements from France. He occupied this interval in a war upon the Choacas, a tide water (and now forgotten) tribe, whom he strangely suspected of complicity with the Chickasaws! Very injudiciously he organized a battalion of slaves, and led them to the slaughter of the Indians. Having tasted blood these Africans, like other carnivora, relished the flavor and plotted an insurrection, which Perier summarily suppressed by impaling the leaders.

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CHAPTER VIII.

WITH 650 men, collected from the several posts, and 180 French marines, Perier set out, November 15th, 1732, from New Orleans, to pursue the Natchez, whose bloody onslaught on the Tunicas had revealed their hiding place. He was joined on the route by 400 Choctaws. The Natchez, duly apprized of his movements, abandoned Trinity, and retreated to what is now known as Sicily Island, in the present parish of Catahoula, La. In locating the battle-ground on Sicily Island we adopt the views of Judge J. G. Taliaferro, of Louisiana, a close observer who had studied all the authorities on the subject, and personally inspected the ground We are indebted to his son, D. W. Taliaferro, Esq., for the following interesting paper:

THE NATCHEZ INDIANS—MISTAKES OF HISTORY.

It is a commonly received opinion, based upon the conjectures of several authors, that the Natchez tribe of Indians, on leaving the eastern side of the Mississippi, established themselves at the mouth of Little river; that the ancient works, such as mounds, ditches, levees, etc., seen at that point, were made by the Natchez to serve as a fortification by which to protect themselves against their deadly enemies, the French.

The accounts we have of the war of extermination waged reciprocally against each other by the early French settlers of Louisiana and the Natchez Indians, are in the main no doubt correct. From these accounts we suppose it true that at no great period of time after the taking of the French fort Rosalie, on the eastern bank of the Mississippi, where the present city of Natchez stands, and the butchery of the French, a large portion of the Indians retreated west of the Mississippi, upon the appearance of a reinforcement on the part of the French. Their departure, it is stated, occurred on the 25th February, 1730; that about two years after, in January, 1732, they were attacked by the French in their strongly fortified position at the mouth of Little river, and completely routed, many of them being taken prisoners, and afterwards made slaves. We may bear in mind that before they left the eastern side of the Mississippi the Natchez had been weakened by a bloody war against the French and Choctaws combined; that a part of the tribe did not cross the Mississippi, but joined the Chickasaws who were friends of the Natchez.

Now, it is exceedingly improbable that a fragment of an Indian tribe, exhausted by a war they were unable to maintain, without means of any kind, and dependent upon hunting and fishing for a subsistence, could, in the short space of two years perform works of the magnitude and extent of those at the mouth of Little river. No indications, we believe, have ever been discovered at that point making it probable that a battle was ever fought there. True, a mass of human bones lies on the margin of Little river, within the supposed

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fortification, but human bones are frequently found in masses in small mounds making it evident that it was a custom of the mound builders to deposit numbers of their dead in the same spot.

Monette, in his "Valley of the Mississippi," following Martin and Stoddard, has propagated pretty widely this statement of the fortification and battle at the mouth of Little river. The account is entirely erroneous. It was not at the mouth of Little river that the Natchez made their stand. They posted themselves on the elevated table land of Sicily Island, on the spot now included within the plantation of Dr. Henry I. Peck, on the margin of the bluff, about three miles from the upper end of Lake Lovelace (or Lake Louis). It was there that the Natchez had their encampment, and as we believe, without any fortification, as nothing now exists that indicates that they had an intrenched camp. It was there that the battle was fought; for there grape-shot, and cannon balls and leaden bullets have been picked up. These indications have been numerous and are still found there. That the place last named is the spot where the Natchez were encamped, and where the conflict between them and the French occurred, we have long been satisfied.

This view is confirmed by "The History of Louisiana, or of the Western Parts of Virginia and Carolina," translated from the French of M. le Page Du Pratz, published in London, in 1774. This work is embellished with two maps, one of a large portion of the Continent, the other of Louisiana alone. The author, it seems, was a resident planter in Louisiana for sixteen years, about the period of the war between the French and the Natchez Indians; he was moreover, an owner, or director, of the public plantations in Louisiana during his residence here. He states, specifically, that he was continued in the inspection of the Natchez colony, post or plantation, in 1730, "as before." This man's position gave him an intimate acquaintance with the stormy events that occurred in that colony at that time, and afterwards.

A few extracts from this work will tell the story as to *the place* of the battle. In his account of the Ouachita he calls it throughout its whole extent "Black river." He says, "it is called the Black river because its depth gives it that color, which is moreover heightened by the woods which line it. It is sometimes called the river of the Ouachita's because its banks were occupied by a nation of that name who are now extinct. I shall continue to call it by its usual name."

"After we had gone up the Black river about thirty leagues, we find to the left a brook of salt water, which comes from the west. In going up this brook about two leagues we meet with a lake of salt water which may be two leagues in length by one in breadth. A league higher up to the north we meet with another lake of salt water, almost as long and broad as the former."

This "brook, about thirty leagues up Black river, coming from the west," is clearly Little river. The lake about two leagues up it is the Catahoula Lake, which the indistinct knowledge of that day described as two lakes. The water at times may have been brackish, as it is well known there are saline springs on Little river above the lake.

The author proceeds:

"Ten or twelve leagues above this brook is a creek, near which those Natchez retreated, who escaped being made slaves with the rest of their nation, when the the Messrs. Perier extirpated them on the east side of the river, by order of the Court."

In his account of the retreat of the Natchez, the pursuit of them by the French, etc., he says:

"M. Perier, Commandant General, zealous for the service, neglected no means whereby to discover in what part the Natchez had taken refuge. And, after many inquiries, he was told they had entirely quitted the east side of the Mississippi, doubtless to avoid the troublesome and dangerous visits of the Choctaws; and in order to be more concealed from the French, had retired to the west of the Mississippi, near the Silver Creek, about sixty leagues from the mouth of Red river."

And afterwards he continues:

"The Messrs. Perier set out with their army in very favorable weather and arrived at last, without obstruction, near the retreat of the Natchez. To get to that

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place they went up the Red river, then the Black river and thence up the Silver creek, which communicates with a small lake at no great distance from the fort which the Natchez had built in order to maintain their ground against the French."

This Silver creek is Bayou Louis. The "small lake it communicates with," is Lake Lovelace (or Lake Louis)—and the fort "at no great distance" from the lake is Dr. Peck's plantation, where the Natchez were encamped and where the battle was fought. We may add that upon both the author's maps the place of encampment of the Natchez is conspicuously marked and designated "Ft. of the Natchez destroyed." And this "fort destroyed" on the map is on the *east* side of the "Wachitas," or Black river, and by the apparent scale of the map, *about twenty miles from it.*

The following letter, written by the late T. A. S. Doniphan, of Natchez, in 1859, gives some interesting details, as to Sicily Island:

I have made some inquiry as to the settlement of this comparatively old country. I find that at the time of the surrender of the Spanish government at Natchez, to that of the United States, there was a large American population already settled and living upon this island. This pioneer community was composed of gentlemen of respectability, easy fortunes and cultivated tastes and manners. They were the Holstiens and Lovelaces from Virginia; the Kirklands from South Carolina, and the Leightnors from one of the New England States. They came here with many negroes, and large grants of land from Governor Gayoso. The descendants of these people are still here occupying the places their fathers died on and own nearly the whole landed property of the Island. The manner of immigration hither was over the mountains to the head waters of the Ohio and down the Mississippi, in the ancient "broad horn," to the Natchez country.

The eastern margin of the island is an abrupt bluff bank about ten feet above the spring floods, washed at that season by the turbid waters of the Mississippi, which find their way here through Bayous Maçon, Tensas and Fool rivers; and pass off by Lake Louis and Bayou Louis to the Ouachitta and thence to the Mississippi again. Upon this bluff bank, at a point where the waters of the Mississippi first strike it, there are the evidences of a great battle or a large military encampment. These evidences consist of the remains of arms, accoutrements and projectiles scattered, within the recollection of many now living, in great profusion over quite a large area. Bomb shells from fifteen to sixteen inches in circumference, cannon balls and grape-shot, ounce leaden balls, flints of large sizes, broken swords, muskets and pistols, with various other implements of war, have from time to time been picked up. This encampment or battle ground is on the land of Dr. H. I. Peck, who has many of these relics, among them a bomb shell fifteen and a half inches in circumference. Large quantities of broken bomb shells are still to be found, and in early times it was so prolific in lead that but little was bought by the citizens here, most of them preferring to pick it up from the battle ground. Those now picked up are so corroded by time and weather as to leave, on being melted, a shell like that of an egg.

DR. KILPATRICK'S STATEMENT.

Dr. Kilpatrick, now of Navasota, Texas, a close observer, visited the place in 1851, and says:

"When the Lovelace family first settled up Sicily island in 1802, they found the remains of an entrenchment on the border of King's lake, at the foot of the bluffs. The breast-work was about four feet high. Dr. Kilpatrick found there the remains of a gun lock, some gun flints, a number of ounce balls, all more or less flattened and battered, a piece of iron rod, a copper arrow barb having a socket to fit on a large arrow, with many of the ordinary Indian flint arrow-points. Many gun and pistol barrels, fragments of bomb shells, and some cannon balls have been picked up on the same ground. Pigs of lead, two feet long were found there in digging a ditch, and several bars of iron, which were sub-

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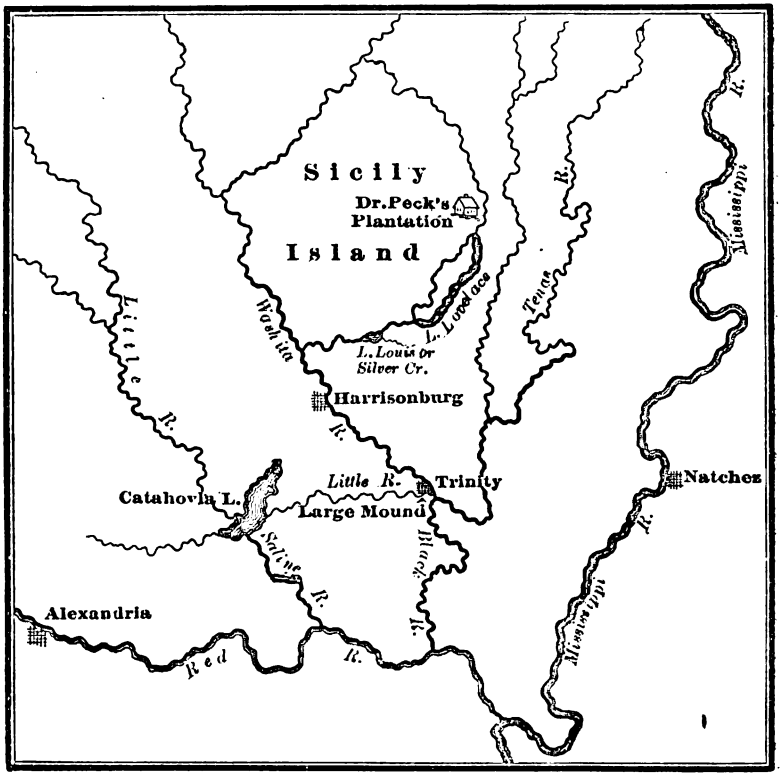
sequently used by Edward Lovelace in building the first gin erected in the parish. The musket balls were coated with a thick oxide, and were so plentiful that the early hunters used to resort there for a supply of lead. A spherical ball was found, having a loop for a handle, and a rattle inside. Its tone was very clear. Musket balls were found imbedded in an aged cypress tree that stood within the entrenchment. The Indian tradition was that their fathers said a great battle had been fought there, between the white and red men many years before.



(Catahoula should read Catahoula; Tenas R. should read Tensas R.)

STATEMENT OF DR. HENRY I. PECK, A. B.

BATTLE GROUND PLANTATION,
SICILY ISLAND, Catahoula Parish, La., March 6th, 1878.

The last stand of the Natchez was made here, on the south-west end of a small lake, which makes part of the eastern boundary of Sicily island. The bluff, at this point, is some thirty feet above the level of the lake, with a deep ravine on the south and west. They threw up an entrenchment which could be traced as late as 1825. The position is just forty miles from Natchez across the swamp. To reach them Perier ascended the Mississippi to the mouth of Red river; up it to the mouth of Black river. Up Black river (which is really the Ouachita) to the mouth of bayou Louah, twenty-three miles above Trinity and three above Harrisonburg. Up bayou Louah to lake Louah now styled Lovelace's lake. He disembarked his troops at the present steamboat landing on Lovelace's lake, and marched due north, up the bluff of the island, to the Indian entrenchment. From their strong position, and the skill they had acquired

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from the French, in the construction and defence of fortified positions, he found he could only carry it by regular investment or by strategem. By a shameful act of perfidy he got possession of the Natchez chief, and then opened a furious attack on the camp. The details of the fight and its sequel have often been recorded. It is to identify this point as the last great battle ground of the Natchez to which you have direoted your inquiries. The war material found here is conclusive as to its having been the scene of a great conflict, in which European soldiers took part. Fragments of shells, indicating a diameter of from four to six inches, were profusely scattered over the field; the outer plates of gun locks, almost destroyed by oxidation; fragments of pistol barrels, great numbers of gun flints of very fine silex; a chain shot that still weighs three pounds, eleven ounces, and musket balls so numerous that our early hunters obtained their lead on the premises. These balls were so encrusted with oxide that when melted each one left a white shell like an egg-shell. Many irons resembling mill irons, fragments of crockery and pottery, ordinary Indian arrow-heads."

Dr. A. H. Peck, of Claiborne county, Miss., a gentleman of culture, who has often examined the field, has many of these relics in his possession. Some writers, who contend that DeSoto died near the mouth of Red river, conjecture that Sicily island was one of his battle-fields; but the few fire-arms he had were matchlocks; and on this field were found very many musket flints, not in use in the time of DeSoto, nor for many years afterwards.

In this stronghold, about the 20th January, 1732, M. Perier found the Natchez. He planted his batteries, and for three days kept up a regular fire. On the 25th the besieged proposed terms which were declined, unless they first surrendered the Great Sun and the principal war chief. This was, in their desperation, acceded to, not at all in consonance with that devotion to his person, and his authority, they have been accredited with. Perhaps he was a second Curtius, and foreseeing the butchery that would follow the storming of his camp, offered himself a sacrifice to save his people. Surprised at this concession, Perier, with bad faith, demanded more; and they agreed to surrender to him sixty men and two hundred women and children, on condition that their lives should be spared, and that he withdrew his artillery. This proposition was answered by a renewal of the cannonade, which was vigorously kept up, until terminated at nightfall by a terrible storm of wind and rain. Under cover of this, the Natchez abandoned their position. The Indian auxiliaries of the French captured a number, but the greater part escaped into the adjacent morasses. Perier returned to New Orleans, with numerous prisoners, who, by instructions from Maurepas, prime minister, were shipped to St. Domingo, and sold. He wrote to Perier that there was no other way to pay the expenses of the expedition. Those that escaped, and many who were scattered through the country, assembled, in the course of the year on Red river and soon after attacked the French post of Natchitoches, then under command of St. Denys*—Fort St Louis de Carborette, built 1719, (under the American dominion known as Fort Claiborne). For three hours they assailed the defences, but, after a bloody fight, sullenly withdrew and took possession of the village of the Natchitoches Indians, who had sought shelter in the fort. There

*St. Denys came to Biloxi from France in 1699; was sent to explore the Ouachita, Red river, Yazoo and Arkansas, and to watch the operations of the Spaniards and Mexicans to the westward. His adventures in Mexico; marriage, imprisonment, escape and return to Biloxi in 1719, have the interest of romance. He was a man of liberal culture, brave, enterprising, gallant and gay.

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St. Denys, in turn, attacked them before they could complete their preparations. They resisted, with all the fury of despair; the French, with a determination to conquer or perish. Not until the houses were all on fire, and most of their warriors had fallen, did the Natchez think of retreat, and then they plunged into the swamp, this remnant of a once powerful people. Their story has been perpetuated by many historians, and in the romances of Chateaubriand, and their peculiar name by the historic city that sits in sadness and beauty on the site of their ancient capital.*

*The Natchez were at the head of a confederacy which, at one time, embraced the Tensas, Yazoos, Kourous and other tribes. They claimed to have had sixty villages, eight hundred Suns or princes, and five thousand warriors. But these had greatly diminished before the advent of the French. The few that escaped found refuge among the Chickasaws and the Muscogees or Creeks, where they could be traced for many years, and produced the "great Natchez chief," (so styled in various treaties,) and other renowned warriors.

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CHAPTER IX.

ABOUT this time (1732) the Western Company, which had controlled the colony since 1717, having become bankrupt, surrendered its franchishes, and the King took it under his charge.

1735. The veteran Bienville, who had been residing in retirement in France, was reappointed civil and military governor of Louisiana, and early in the fall he arrived in New Orleans. Though old and infirm he still coveted glory, and came resolved to strike an effective blow against the Chickasaws, the prime instigators of the Natchez massacre.

British traders from Charleston and Savannah had penetrated their country at a very early period. Their villages extended from the Cumberland to the Tennessee, and thence to the Mississippi, and the head-waters of the Yazoo and Tombigbee, then abounding in game, now one of the finest agricultural districts in the world. They were an aggressive and martial people, frequently at war with the Choctaws, Cherokees and Creeks, their neighbors, and occasionally undertaking expeditions against the Shawnees, and other remote tribes. They were not so numerous as their neighbors, owing to their incessant conflicts, but as warriors they were most renowned. Though ostensibly at first friendly with the French, and occasionally sending delegations to Biloxi and Mobile, they early fell under British control, and may be almost claimed as a British colony. British traders, chiefly Scotchmen, who had served in the army at an early day, established there depots of merchandise, which they exchanged for peltries carried on pack horses to Charleston. These traders usually married into the families of the chiefs, and soon established a controlling influence. In 1715, Captain Young, a British officer, visited the Chickasaws, and had a grand council with the chiefs, in the interest of the king, his master. He passed through the territories of the Chocchumas, Tchulas, Kourous or Yazoos. to the Natchez villages, where he halted a week. During that time M. de Ursins received orders from Gov. Cadillac to arrest the traveler. Perricaul says, M. de Ursins dared not execute this order in the village of the Natchez, for fear of giving offence, and it was determined to ambuscade him on the river.

Before leaving the village, M. de Ursins resolved to have an interview with him, in order to discover his designs. Having approached him, he asked him, if he had come to make any purchases among the

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Natchez. He replied, very frankly, that he with two other Englishmen, had visited the Natchez for the purpose of purchasing peltries, and that it was his intention to go among the Colapissas on his way down the river, thence among the Choctaws, where he had a depot of merchandise and peltry, and from thence would return by land into Carolina in company with the other Englishmen, who were, like himself, engaged in traffic with the Indians.

Perricaul further relates how M. de la Ursins said nothing to the unsuspecting Englishman at the time, but allowed him to take his departure unmolested, after which he stealthily descended the river, and laid in wait for him at Manchac, where, with the assistance of some Tensas Indians, he overpowered and arrested him. He says: "We found him occupied in sketching, and he was much surprised to see us approach, armed with muskets, and yet more when M. de Ursins informed him that he had an order to arrest and conduct him to Mobile. He observed that the two countries were at peace; that they could find nothing to reproach him for; and that if it were exacted of him to go, it must be done by force. M. de Ursins, who had orders to take him dead or alive, replied that he arrested him in the name of the King, and at the same time seized hold of him. He endeavored to make some resistance, but uselessly. We embarked him in one of our canoes, and gave up the merchandise found in his canoe to the Tensas. Then we conducted him to Mobile without stopping, where we delivered him up to M. de Bienville."

The hapless English officer was after three day's detention liberated by the French authorities, and on his return trip to Carolina, while passing through the country of the Alibamions, was slain by the Indians. "I found among the Natchez," Perricaul further says, "some Indians belonging to the nation of the Chaounons (Shewanees,) who had been captured by a strong party of Chitachas, Yazoos and Natchez, who under the pretext of visiting their village for the purpose of dancing the calumet of peace, had attacked them in the most base and treacherous manner, and killed their Grand Chief, with most of his family, took eleven prisoners, among whom was the wife of the chief, and brought them to the Natchez, where they were treated as slaves. I used all the efforts in my power to have them liberated but was unsuccessful. I was very much astonished to meet three Englishmen there who had come with the intention of purchasing them as slaves. They are the cause of exciting these savages to war with each other, as it enables them to purchase a large number of slaves, whom they convey into Carolina to work on their plantations."

A few years afterwards the Chickasaws made a persistent effort to organize a coalition of the tribes against the French, which culminated in the massacre at Natchez, and on the dispersion of that tribe they received the refugees, and united with them in pillaging and murdering every Frenchman they could intercept on the river.

The Chickasaws, on their part, complained that the French had instigated the Choctaws to attack them, and strongly suspected them of complicity with the Choctaws in the treacherous murder of their party in 1705, when under a French escort; and they insisted that in giving asylum to the Natchez refugees they had only exercised a custom universally practiced by Indian communities.

Six days after Bienville landed, he dispatched an agent to the Chick-

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asaws, to demand the delivery of the refugees. The noble answer was: "They have come to us for shelter, and cannot be surrendered."

1735. The French commander instantly determined on war. His plan was to penetrate the heart of the Chickasaw nation by the Tombigbee river, and to call a co-operative force from the posts of the Illinois, to form a junction at a point to be agreed on. He dispatched Capt. de L'sser with sixty men to (what is now called) Jones' bluff on the Tombigbee, to erect a fort and depot and to collect supplies for the expedition. And he sent Capt. Le Blanc with orders to M. d'Artaguette, commandant of the Illinois, to descend the river with as many French and Indians as he could muster and meet him on the 10th May.

1736. Bienville left New Orleans, March 23d, with an army by no means well organized, including one company of negroes commanded by Captain Simon, a free mulatto. After many delays he reached Jones' bluff. His force consisted of some six hundred whites and five hundred Indians. He set out both by land and water, May 4th, and halted on the 23d at what is now known as Cotton Gin on the Tombigbee river. Here he erected a stockade and threw up some entrenchments.*

A temporary halt at Cotton Gin was perhaps necessary, but it was too protracted, and gave the Chickasaws ample time for preparation. He finally advanced in two columns, in a north-easterly direction with the Choctaws on his flanks. The weather was wet and the nature of the prairie soil made his march slow and fatiguing. May 20th he found himself near an Indian town, called Ackia, strongly fortified with palisades and earthworks and the British flag displayed. He camped that night on a small lake near the mouth of Yahnubbee creek, in the present county of Lee, where he threw up an entrenchment, which may still be traced. Early next morning the Choctaws, eager for plunder, made a rush upon the town without orders from Bienville, but were driven back by a galling fire and so demoralized that they rendered no further assistance.

The French general seeing the strong character of the works, and knowing that the Indians were directed by English traders who had experience in war, was disinclined to attack until reinforced by d'Artaguette, but he reluctantly yielded to his young officers, and particularly to his nephew, the Chevalier de Noyer, who thought not of hazard but of

*Mr. J. H. Bailey, of Monroe county, Mississippi, informs me that Cotton Gin was called by the Indians *Tollama-toxa*, signifying where "he first strung the bow," and in reference to Bienville there beginning his expedition. The name of Cotton Gin was given to it from a gin having been erected there by the U. S. for the Chickasaws. The vestiges of three fortified positions may yet be seen at this point on the Tombigbee, erected doubtless by Bienville and Vandreuil. One on the left bank, one on the right bank and another on the right some three hundred yards to the southwest and about the same distance from the bank of the river. It stands on what was probably an ancient mound, some seventy feet square, and still three or four feet above the general level. The entrenchment might be distinctly traced a few years since, though large trees were growing on it. The fort on the right bank has caved in, though it is within the recollection of the early citizens that the entrenchment enclosed an area of some six acres. The fort on the east bank has suffered in the same way. About a mile south of this entrenchment there was found, in 1833, two large boxes of ounce balls imbedded in the mud. Near by is a deep place in the river called the Cannon Hole, into which, it is said, the French threw several pieces of heavy cannon. Northwest of the fort is a place known as the Boneyard, from the human bones found there when the country was first settled.

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glory. At two o'clock the assualting party, consisting of fifty men from each of the companies, fifty Swiss, a company of French grenadiers, and thirty volunteers, led by de Noyer, advanced to the assault with loud cries of "*Vive le Roi!*" The Indians had enclosed their building with a palisade of stakes driven deeply down. Inside of this palisade was a pit deep enough to protect the men who stood there to defend it. Loop holes to fire through were cut in the stakes. The tops of their houses were plastered with mud, to prevent the French firing them. Thus each house constituted a separate fortress, and they were so placed as to throw a converging fire. The advance was made under the protection of a sort of portable breastwork, called mantelets, carried by negroes, who at the first fire seeing several of their number fall, fled in dismay. The chevalier de Contre Cœur waved his sword and placed himself at the head of the grenadiers, but was instantly killed. Capt. de Lusser fell about the same time, and the dead and wounded lay thickly around. The troops, panic-struck, sought shelter in two houses they had taken. The officers having vainly attempted to rally them, formed themselves into a forlorn hope, with a small party of grenadiers, and rushed within the works. They were met by a terrible fire. De Noyer, Grondel, D'Hautrive, De Velles, Villemont, Montbrun, were severely wounded. De Juzan, aid to de Noyer, was killed. A party of Chickasaws rushed out to scalp Grondel. Five grenadiers dashed forward to defend him, but were instantly killed by a volley from the nearest Indian cabin. But at the moment, and before the smoke of the volley cleared away, Regnisse, a French sergeant, had siezed the wounded officer and carried him to a place of safety.

The French now fell back under cover of the few cabins they had seized, and De Noyer despatched an officer for reinforcements to carry off the wounded, while he kept the enemy at bay. The Chevalier Beauchamp came with two companies, and rescued many of the wounded, but owing to the severe and concentrated fire from the fortified houses was compelled to leave a number behind. The conflict had lasted from noon till sunset; only four of the houses had been stormed, and more than one hundred and fifty brave men had fallen.

Bienville, notwithstanding this disastrous repulse, did not forget the gallantry of Regnisse. In his own tent, in the presence of his surviving officers, he applauded his intrepidity and offered him the commission of lieutenant. The gallant fellow modestly declined. He said he could not read or write, and was therefore not fit for an officer, and had only done what all of his comrades were ready to do.

Next morning a ghastly spectacle was seen. The dead and wounded left on the preceding evening had been quartered and their mangled members hung on the points of the palisades. The French officers clamored for vengeance, but Bienville, having left his heavy pieces on the Tombigbee, and finding the Choctaws unreliable, ordered an immediate retreat, but they made only four miles that day, May 27th. They had neither wagons nor ambulances, for their provisions, and there were many wounded to be carried by the soldiers. The Choctaws, who had precipitated the attack and done little of the fighting, complained of this dilatory march, and refused to assist in bearing burdens or the wounded. In this they were encouraged by Red Shoes, a chief of the Six Towns, one of the most treacherous leaders

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of the tribe, with a strong inclination for the British alliance. By exerting his personal influence to the utmost, Bienville prevailed on the head chief of the Choctaws to remain and assist his wounded. Had the Chickasaws pursued at this juncture, the French would, in all probability, have been annihilated.

May 28th, when the fugitives reached the Tombigbee they were dismayed to find the river so reduced by a rapid fall that it would soon apparently cease to be navigable. They cast their heavy cannon into the river, hurried on board, and about the 2d June reached Fort Tombecbee at Jones' bluff.

Thus closed this ill-planned, ill conducted and inglorious expedition, only redeemed by those acts of personal gallantry for which the French in all ages have been distinguished. The most distressing portion of the story is yet to be related.

D'Artaguette had set out from Fort Chartres, on the Illinois, with one hundred French and Canadians and a strong detachment of Indians and arrived at the Chickasaw bluffs on the 9th May, one day before the time designated.* He had expected to be reinforced there by Grand-pre, from the post of Arkansas, but by some inadvertence this junction did not take place. Hearing nothing from Bienville, and his Indians becoming impatient and threatening to withdraw, and being in want of supplies, he advanced into the nation, and on the 20th May attacked a village supposed to be occupied by Natchez refugees, and to be well stored with provisions. While assailing the enemy in front a detachment of five hundred Chickasaws, supported by thirty Englishmen, attacked him in his flank and rear so suddenly and fiercely that most of his Indian allies fled from the field. His gallant officers, D'Essarts, St. Ange, De Conlanger, De la Graviere, De Courtigny, Langlois and Levieux, fell at the first fire, and orders were given to fall back to camp. But the enemy, in vastly superior numbers, rushed upon them with their tomahawks. D'Artaguette fell severely wounded, and Capts. Dutisme, Lalande, Vincennes, Father Senac, their chaplain, and fourteen soldiers were captured. The few that escaped were led by Voisin, a youth of sixteen, who having bravely fought until the retreat was ordered, now took command of the fugitives and succeeded in reaching the boats.

The Chickasaws treated their prisoners kindly, intending to use them to secure terms with the great French general then advancing into their country, from whom they had everything to fear. With the arms and ammunition captured on the field and in the camp of D'Artaguette, they fought and defeated Bienville six days later. This sealed the fate of the prisoners. Ten days afterwards, all but one, who was permitted to go to Bienville to relate the horrid event, were stripped and pinioned to stakes and roasted to death by a slow fire. They chanted the *miserere*, and Father Senac to the last moment of his martyrdom whispered the consolations of religion. "The ashes of these

*All the writers on this subject assign the lower Chickasaw bluff as the point where D'Artaguette landed and from which he marched. But the Rev. Dr. Patton, a distinguished scholar, in his centennial address at Tupelo, Miss, says: "He landed at the mouth of Bear creek, a tributary of the Tennessee." Dr. Patton resided in Lee county, has made the Chickasaw traditions a study, and is a recognized authority in all such matters.

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young heroes, and of this devoted priest," says Dr. Patton, "now mingle with the soil of Lee county."

Bienville's battle occurred on what was afterwards known as the Chickasaw Old Fields, thirty miles northwest of Cotton Gin and about three miles northwest of Tupelo, only a few miles from the Great Council House of the tribe. When repulsed his troops retreated along the ridge, where Tupelo now stands. A fragment of cannon, and of other weapons, have been found to indicate the line of retreat. "The Chickasaws," says Dr. Patton, "pursued them as far as Chiwappa creek."

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CHAPTER X.

HAD he been wise, with this disastrous campaign, the veteran Bienville would have closed his military career. But, if his energies were impaired, he had retained his tenacity and pluck, and he forthwith applied for leave to organize another expedition.

1737. The Chickasaws, on their part, sought a close alliance with the English, and sent a large delegation to Gov. Oglethorpe at Savannah, with the bloody credentials of their recent victory.

1738. The year was chiefly spent by Bienville in organizing his forces for the coming campaign. His plan was to ascend the Mississippi to the mouth of the St. Frances, which was to be the general rendezvous and depot of supplies, and thence cross to the Margot (Wolf) river, and attack them in the heart of their country. The plan was excellent, but no proper estimate seems to have been formed of the difficulties of transportation in open boats, of the sickness sure to follow exposure, and an imperfect commissariat.

1739. Towards the last of June, Bienville landed at the depot at the mouth of St. Francis, the best point and period he could have selected for malarial fevers, which soon decimated his army. Soon afterwards the Chevalier de Boursoniere, commandant at Fort Chartres (St. Louis,) with a troop of Canadians and Indians, arrived, followed by M. Celeron and M. Laurent, with a detachment from the Illinois. "His force," says Martin, "was about 1200 whites and 2,500 Indians and negroes;" an array, properly directed, sufficient to expel the Chickasaws from the country they occupied. It was the last of August before the French general concentrated his army near the mouth of the Margot, and where he built a rough structure called Fort Assumption. And by this time sickness and death were mowing down his men. His provisions failed, and new supplies had to be obtained from New Orleans and from Natchitoches before a movement could be made. There were scarcely well men left to guard the fort and the hospital.

1740. About the 20th March, while the army still lay inactive at the fort, M. Celeron, an enterprising officer, was sent out with a strong detachment of Canadians and Illinois Indians, ostensibly in search of the enemy, but, doubtless, with secret instructions to make terms, if practicable. The Chickasaws, considering this merely the advance

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guard, estimating the strength of the army by the strength of the advance, and that its whole force would be hurled against them in a few days, made overtures for peace. Upon the invitation of M. de Celeron, a delegation of war-chiefs accompanied him to the fort, where a formal treaty was made.

We insert here the journal of an officer who arrived from France in 1739, with the troops under M. de Nouaille, and accompanied the expedition to the Chickasaw bluffs, which has been translated from a MS. obtained in Paris by Col. B. F. French.* It gives interesting details of the tedious voyage up the river, and an inside view of the management (or rather mismanagement) of an army at that period, and sheds much light on the customs of the savages and their conduct in war.

JOURNAL OF THE CHICKASA WAR.

Monday, June 8th, 1739, the fourth day of our arrival at the "Balize," at the mouth of the Mississippi, the companies of Pepiret, Poulcury, Vileon and Frederre embarked in different conveyances at the bar.

Tuesday, the 9th, Mons de Nouaille also set out in a separate transport; the sick, together with the commands of Tremigon, Gouyon and du Theatant next embarked for the city of New Orleans, the point of rendezvous, distant about forty leagues from the Balize. The same day, at three o'clock in the afternoon, we moved just above the Bayou Marogue, where we experienced a most awful rain squall.

Wednesday, the tenth of June, we set out at break of day and moved with might and main to stem the terrible current of the Mississippi; a storm coming up from the northwest at about 7 A. M., we made a second landing, having gone three leagues of our route. At 9 o'clock we again set forth on our journey, nor stopped till six of the evening when we moored our vessels ashore.

Thursday, the 11th, we pursued our course, starting at half-past five in the morning, and having encountered several boats descending the stream, we enquired where they were going; to which they answered they were going after such of the troops as were still on the "Athlas." We proceeded and finally landed, at six in the evening, one league above the small prairie on the port side of the river.

Friday, the 12th inst., we crossed the river at two in the morning to avoid the rapidity of the current, and to seek a less strong one. At 9 in the evening we moored our vessels at the first plantation yet seen, belonging to Mr. Pinot.

Saturday, the 31st, we cast off at 4 A. M., and passed by the Royal Transport, the same which we found a little above the plantation of Mr. Robin, having previously been summoned to arms and hoisted our flags, the compliment being returned by the royal vessel and the troops placed under arms. At 10 o'clock at night we stopped at the plantation of Mr. Barre.

Sunday, the 14th, we set out at half-past three in the morning, when Monsieur de Nouailles, having directed us to take the lead along the left bank of the river, we arrived by 8 A. M., at the plantation of Mons. de la Pomeraye, Royal Treasurer, where all the troops were rallied in obedience to a signal from the Colonel. The entire force having been under arms since half-past 9, Mons. de Nouaille, the Colonel in command, passed it in review. At 10 o'clock we re-embarked and proceeded on our course as far as the Brewery, which is within cannon reach of the city. There we landed, it being a quarter past twelve, and having been drawn up in line of battle, marched forthwith toward the city, where we arrived at 10 o'clock and were sent to the barracks to establish our lodgings and repose from the fatigues to which we had been subjected, both by the heat and the swift currents of the river which we had been compelled to stem. At four in the afternoon our detachment was dispatched with the colors to the residence of Mons. de Nouaille. Our two companies from

*Translated by Fernand Claiborne, Esq., of New Orleans.

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Rochefort, which had arrived before us, having informed us they were detailed for guard duty, it was not until the 16th that we furnished six men per company for that purpose, the balance of the command being in the meantime reviewed together with the troops of the colony, the Swiss being on the right of all. On the evening of our arrival, we transferred our sick, at least such as were taken with the scurvy, and numbering about thirty, to the hospital on the opposite side of the river, to which they were transported in such boats as were destined for the general use of the army. After pushing off from the bank, we lost our third surgeon, who was knocked overboard by the tiller. He was never more seen, and was regretted not only by the officers, but generally even among the privates. The rest of the ill were carried to the city hospital. They numbered about twenty, but about fifteen days afterwards, the number had increased to 84.

On Saturday, the 25th of July, Messrs. de Nouaille and Bienville, seeing that sixty of the soldiers had died, and that more were falling sick every day, resolved to dispatch the first convoy to the fort called Assumption. It was composed, in all, of eleven boats, in which were distributed three companies commanded by Mr. de Vieuchatel, Lieutenant of Artillery, who, himself, was in charge of a vessel overdecked and loaded with powder and other munitions. The crew consisted, in part, of slaves and of Indians belonging to various petty tribes in the neighborhood of New Orleans.

The 11th boat (NOTE—The translation here is faithfully preserved—from which it would appear there were *more* than nine boats as before mentioned.) manned by Colonial troops and in command of Mr. Tavrot, Lieutenant of the said troops, was placed in the lead. On the day of the departure of this convoy, the three companies composing it were reduced from fifty to forty-one men each, the total sick now amounting to one hundred and forty.*

On the 22d July, intelligence was received that a number of travelers, amounting to sixteen, and six negroes, who had started in pirogues one month since, had been attacked by a body of twenty-five or thirty savages, supposed to be Tchatchoumas, Natchez or Chycachas, encamped four leagues away from the post of the Tunicas. Three of the party only escaped to bear the news to the latter, who set out to avenge the deed if possible.

On the 8th of August, the 2d convoy, consisting of four of our companies, of thirty-two men each, distributed on 8 boats, started at 8 in the evening, under the command of Mr. de Belugard, Captain of Artillery, who was in charge of a ninth boat which contained the munitions. A tenth was occupied by the troops of the colony, commanded by Mr. Chaouas, Lieutenant and "chief of route." Of this convoy, four officers and fifteen privates were left sick at the post of the Chapitoulas, twenty-four miles from the city.

On the 12th of August, we lost one officer of artillery and four soldiers after a day's illness.

On the first of September, the rest of the battalion was placed under arms, preparatory to leaving, but the boats being overloaded, we were compelled to defer our departure until the next day.

The recapitulation of our losses during our stay in New Orleans shows: casualties, seventy men, and left behind, on account of sickness, fifty-eight soldiers, four artillerists, five cannoneers, one surgeon, one armorer and six private servants.

On the 2d of September, our convoy of nine boats was, in part, manned by our troops to the number of one hundred and thirty-nine men, including those in a state of convalescence. To these were added six negroes for each boat, besides that for the scout manned by savages. Mons. de Nouaille, in command of the battallion, was in a large canoe, in the centre of which had been constructed a room capable of containing from eight to ten persons. For crew he had ten negroes before, and six of our soldiers rowed behind. Our conveyance for powder, etc., was provided with eighteen negroes with an artillerist for boatswain. That same evening we landed and slept at post Chapitoulas, on the right bank of the river.

On the 3d, we cast loose at break of day, and encamped on the same side of the river two leagues from the "Allemands."

*By a strange fatality the French always selected the sickly season for their arrivals in Louisiana and their expeditions up the river.

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On the 4th, we moved up, and disembarked to dine with Mr. d'Arembourg, commander of the post "des Allemands." Here we left nine soldiers and buried one. At two o'clock we again set out, but being overtaken by a storm, stopped to encamp about three miles from the spot where we had dined.

On the 5th, at day-break, we decamped and dined that day at the Colapissas village. We sailed at one o'clock and proceeded on our way to stop among the Bayougoulas, distant from the former about six miles on the right bank.

On the 6th inst., we started at sunrise and dined at the first settlements of the Houmas, a distance of four leagues from the Bayagoulas. Thence we set out and slept at a small French habitation one league distant, on the left bank. It being still early in the day, we had the soldiers to clean and load their arms, as we were beginning to enter into the territory of the enemy, and especially as we were informed that the "Chics,"* had since eight days been seen on the banks of the river between the places called "Baton Rouge" and "Pointe Coupee."

On the 7th September we decamped at daybreak, and at nine o'clock arrived at the headquarters of the Houmas, where we procured twenty barrels of vegetables. Shortly after leaving we were compelled to make a landing owing to the leaking of one of our boats, which had struck a concealed snag. I quickly dispatched my boatswain to its assistance, who reached it in time to remedy the damage, and replace several ribs which had been broken in. There was lost but one barrel of salt, which had been left without a bung. Two hours afterwards we reloaded and pushed on, but were soon overtaken by a rain storm which lasted four hours. We therefore concluded to go no further that day, and slept on a sand-bank at three-fourths of a league from the last named nation on the right shore of the river.

The Houmas, Bayagoulas and Colapissas, are but one and the same nation in different settlements, and may be a'l classed as Colapissas, the first two being distinct in but one respect, their chiefs being great grandsons, the one of a Houmas, the other of a Bayagoulas, which accounts for their preserving those names, although the original tribes have long been extinct. The above united nations can furnish from ninety to one hundred warriors, as many youths and as many women. Before falling in with these we had encountered two other nations near the post "les Allemands," on the left-bank of the river, being the Ouachas and Chaouachas, numbering together thirty warriors or thereabout. These and several others are called the "small or petty nations" owing to their very small number, and the character of their settlements which they are ever transferring from one spot to another distant sixty to seventy-five miles, according to their caprice or the wars which they are forced to carry on.

On the 8th September we set out at sunrise and passed the night opposite the first villages of the Chetimachas on the right bank of the river, having made fifteen miles. This nation is small in number, owing to the fact that the larger portion dwell with the Atatapas, who reside on the sea-shore in summer especially and live on fish.

The 9th inst., we set out at daybreak with a moderately fresh breeze and encamped at 6 P. M., on the left shore upon a sand-bank. We had that day buried two soldiers.

The 10th we departed before day, and the wind being favorable, sailed part of the way to encamp near the right shore of the river on a large sand-bank lying half a league beyond the bend called Baton Rouge. It is only upon arriving here that the first "cliffs" are seen, they not exceeding eight or nine feet. The bend Baton Rouge is so named from the fact that the Houmas after a victory won by them over the Tonicas, planted upon that spot a baton rouge or red stick (lit. translated) to signify that they the Tonicas were never to cross it under arms or on the war-path.

On the 11th inst., having embarked all the troops before daylight we set out after having resolved henceforth to place an officer on guard every night, agreeably to the advice we had received on the 6th of the month. We set sail at daybreak, the weather being very threatening, and experienced a heavy rain all day without intermission, which compelled us to land and camp for dinner. We passed the night on the same spot on the N. N. W. point of D'Iberville Island, upon a large and high sand-bank, having taken the channel on the right side of the island.

*Chickasaws.

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On the 12th inst., at daybreak, we started, and dined at the extremity of the bend called the "cliffs of Davion," whence we pursued our way to spend the night on a plantation on the left bank of the river, half a league from Pointe Coupee. Here we encamped preparatory to spending a whole day.

On the 13th, at 7 A. M., the troops were placed in line of battle for inspection, in order to release from service such as were unfit to take the field. We buried one soldier of our company. The sick amounted to thirty-six, including seven servants, one boatswain, and six Swiss.

On the 14th September we set out at two in the afternoon to spend the night at the fort on "Pointe Coupee," where we arrived with all our sick. At four o'clock we made the necessary arrangements to leave behind such as might be in condition to proceed with the last convoy, and to have conveyances provided for those whose health rendered it urgent that they be sent back to New Orleans.

On the 15th we decamped at seven in the morning. The savages threatening to waylay us, we deemed it more prudent, after having gone but three and a half leagues, to pitch our tents upon an extensive sand-bank on the right of the river.

We set out on the 16th, at four in the morning, and having taken to the left of the island, found the current to be extremely violent, which delayed our reaching the large settlement of the Tonicas until six in the evening. We were unable to land, owing to the damp and muddy condition of the ground, and contented ourselves merely with placing the customary guard. This nation is the first of any considerable size which is found in stemming the river, being capable of furnishing from ninety to one hundred warriors. They have been at all times much attached to the French, although they had been compelled four months before to send us the heads of their two principal chiefs, who had been accomplices in the assassination of several of our travelers. We observed that this nation had much degenerated in the qualities which they had originally possessed for war.

On the 17th the roll was beat at half-past four, and we set out on our course a little before five o'clock. At a distance of three-fourths of a league from our last stopping place, we discovered the mouth of Bayou La Croix, which is only navigable during the high water season, when a net saving of two days of travel may be accomplished. Some few settlements of the Tonicas were still appearing at intervals on the left bank of the river. At half-past seven we encamped at the lower extremity of a sand-bank, one league in length on the right bank of the river, having gone five leagues that day.

On the 18th we decamped before day to take the channel nearest the right bank, it being the largest of the three which form two islands in the centre of the river. We slept one league from Red River, on the extreme end of the grand bank which is near the right shore of the river.

On the 19th we proceeded at break of day, and at seven o'clock had reached the entrance of Red River. The mouth of this stream is large and fine and extends towards the north. It is known to run from the directions of W. N. W., three hundred leagues inclining towards the Spanish possessions and passes through the land of the Nakitoches. Our nearest post upon it is distant twelve leagues from one of their villages and forty leagues from the mouth of the river. At six in the evening we pitched our tents one league from "Davion's Rock," on a lengthy sand-bank on the right of the river, having had head winds from the east and E. S. E. all day.

On the 20th at break of day we continued on our course, and by seven o'clock had reached the place called "Davion's Rock."* Although we had had favorable winds, the current had been so strong that we traveled but five and one-half leagues during the whole day. We slept in our boats (having established a guard in each) and having merely secured them on the extremity of a bank to the right, where we had discovered several shirts stained with blood, and the remnants of an Indian encampment. We set out the next day, and took advantage of a fresh breeze, although much delayed by the unusual strength of the current, and camped that evening no further than the upper extremity of the "Grand Bank," which is above the three channels. Here we found some abandoned "Chicachas" huts.

*Fort Adams.

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On the 22d we set sail before day, and encamped at night on a bank on the left of the river, having gone near five leagues that day. At noon the officer in command of the Swiss had one of his soldiers whipped for theft.

On the 23d we decamped at daybreak and found ourselves engaged at the dinner hour among the three channels of the river which are comprised within the limits of the "Natchez" settlements. We took the middle one, fearing the currents in that on the left. We found here from three and one-half to four feet of water, and so fierce a current that half our boats were driven aground, the rest in the meantime having proceeded to encamp at the head of the channels on the right bank of the river.

On the 24th, at daybreak, we dispatched a detachment of twenty musqueteers and all our negroes, led by a native officer, along the bank to lend assistance to two of our boats which had remained aground. They joined us four or five hours afterwards only the worse for some fatigue, which determined Mons de Nouaille to allow them until three in the evening for rest, when we set out to encamp at six o'clock on the left bank of the river, opposite the "White Cliffs."*

On the 25th we set out before day, and having dined at the head of Bienville Island, slept that night at the foot of Fort Natchez, where we pitched our tents proposing to remain several days in order to allow our troops to recuperate to some extent from the fatigues of the journey thither. This fort is in the shape of a pentagon, each side of which measures fifty steps, tolerably secured against assault by its situation, being placed at a sufficient elevation to command the surrounding country. Its glacis is of green turf and its parapet of thick oaken planks, and the inner fortification and ditch well stockaded. It is provided with some few small cannon. Its garrison consists ordinarily of fifty men and three officers. The nature of the soil seems such as to justify the settlement which we had established here in 1729, at the end of which year two hundred and fifty inhabitants were massacred by the nation, which gives its name to this part of the country, a portion of which tribe have become wanderers and the rest taken refuge among the Chicachats.

This last is the cause of our war against the latter, and induces them to extend their expeditions to this very fort against the Ossogoulas, a small tribe of fourteen or fifteen warriors who have settled here within a short time.

On the 26th and 27th, until five o'clock of the latter day, we were engaged altering and arranging the stowage in the holds of our boats, after which we were summoned to arms for inspection, and to release the sick from further duty.

On the 28th and 29th we stored away some biscuit and a small quantity of fresh bread. During our stay here we had lost four soldiers.

On the 30th, and in accordance with instructions received the day previous, we decamped before daybreak and had not gone more than about two leagues when we heard the firing of cannon, proceeding from the fort, which made us conjecture that Mons. de Bienville was just arriving, having learned during the previous night through one of his officers, that he was encamped at a distance from the fort not exceeding one and one-half leagues. We passed through the left channel formed by the islands called "de la Pome." We camped on the shore on the side of one of the islands, having traveled nearly four leagues that day.

On Thursday, the first day of October, 1739, we set out half an hour before day and dined at "Couellard's" cypress swamp, with the expectation of meeting some friendly Indians hunting the buffalo, whence we proceeded to encamp two leagues further on a bank to starboard.

On Friday, the 2d October, we decamped before daylight and the winds being south and S. S. E., and favorable, four of our boats, including that of our commander, succeeded in making their way past the island called Dog Island through the channel on the left of the same and without detention on the right of the island called "Little Gulf." Here and in the last named pass especially, we encountered for a quarter of a league extremely violent currents.† At four in the afternoon we encamped on the left shore at the head of these passes to await the remaining eight boats which had taken another channel, and had encountered currents so much stronger that five of the eight succeeded in join-

*Ellis' Cliffs.

†Petit Gulf.

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ing us only at midnight. The three others, although having had the misfortune to run aground at the head of one of the islands, reached the camp at 9 o'clock, thanks to the efforts of a boat-load of negroes which we had dispatched to their assistance.

Saturday, the 3d October, we embarked at dawn of day, and meeting with strong currents, encamped on a small islet near the right shore two leagues from "Grand Gulf." We had that day stopped for dinner at a spot which we had reason to believe, had recently been used as a camping ground by the "Chics," as several trees had been cut at man's height from the ground, and besmeared with various red figures.

Sunday, the 4th, we set out one hour before day and by 11 o'clock had passed by the "Grand Gulf" without finding the swift currents which we had been led to believe existed here, but a sudden and violent eddy, which threatened to run our boats upon the snags or crush them against the logs and rafts which floated on every side. At six o'clock we encamped on the edge of the first sand-bank to the right distant two leagues from the "gulf." At 9 of the evening we had an alarm which caused us to place the troops in line of battle at the head of the camp. It was caused by various shouts and noises, believed to have been heard in the woods, which were suspected to proceed from the enemy, as our hunters had for the past few days discovered by the tracks of four or five men, that our movements were being watched.

On Monday, the 5th, we had a north wind accompanied by a heavy rain, which delayed our departure until twelve at noon, when the weather cleared up. We encamped on the shore at the extremity of the 2d island which we passed, and there the roll was beat to announce that no soldier would henceforth be allowed out of range from camp, under pain of death.

Tuesday, the 6th October, we set sail at four in the morning, but having failed to stem the current, were compelled to land and tow our boats through the channel on the right to the N. W. end of the island, where we embarked and at nightfall found ourselves encamped on the point of an island on the left bank of the river.

Wednesday, the 7th October, we embarked at daybreak and encamped just before night at the nearest point of one of two islands, where we were alarmed by a sentry, who, terror-stricken by the cries of the buffaloes and bears, which abounded there, fired at them thinking they were an enemy, without, however, touching any.

Thursday, the 8th, we set out before daylight, and being joined by our hunters at dinner time, we divided four cows and one calf which they had killed, and which having occupied considerable time, we encamped on the right bank of the river at but two and three-fourths leagues from our starting point.

Friday, the 9th, we decamped one hour before day, and having encountered but little current, landed on a sand-bank to starboard, three leagues from the "Hyazous" river (Yazoo.)

Saturday, the 10th, we set out at daybreak and dined half a league from the mouth of the "Hyazous." This river appeared to me to run towards the S. E., judging from its mouth. It bears the name of several nations under a common appellation who formerly resided upon its banks, and are now greatly reduced, owing to the continued warfare which we have waged against them, which has caused them to become wandering tribes. This river extends considerably in the interior and might have brought us to within ten or twelve leagues from the "Chicachats," but being unfortunately difficult of navigation owing to drift-wood, etc., we were compelled to proceed on our course up the Mississippi. At 7 in the evening we encamped one and one-fourth leagues beyond it on the right bank on an extremely slimy shore.

Sunday, the 11th inst., we embarked at daybreak to take advantage of a favorable wind, and observed that the river was widening considerably, a fact unprecedented at this season of the year, and which seemed much to increase the violence of the current and compelled us to pass the night in our boats, not being able to proceed further to land on some sand-bank which we had expectations of meeting.

On the 12th October we proceeded at daybreak and continued to encounter very rapid currents, which placed several of our boats under the necessity of hauling themselves up along the shore by means of ropes. We found the

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stream particularly rapid when crossing the port channel, which forms two small islands, but finally encamped on the opposite or right shore of the river on a bar at the extremity of an island which shapes the course of the river.

The 13th found us aboard at daylight, when we took the channel to the right, having on our left a small isle which lies at its head, and along which we were compelled to be towed owing to the strength of the current. After much difficulty we were compelled to sleep in our boats two leagues above a channel called "Couroit," or "Kourois," so named from its being frequently visited by that nation.

On the 14th we disembarked at daylight to take breakfast at the foot of a small cliff. Each of the boats here provided itself with some ash wood, with which to shape some oars, which we all were more or less short of. Having after dinner taken up our route in the channel of a bank on the left, we found at the end that there was not sufficient water to proceed and were compelled to retrace our course. Having then succeeded in clearing the bar we crossed to spend the night on the opposite side of the river, having merely landed a strong guard.

On the 15th took all aboard as soon as there was sufficient light to permit it, and having gone three and three-fourths leagues that day, slept in our boats at the lower end of the island farthest towards the north, it being one of three which we had found on our course, and where we were joined by a boat coming down from our depot to meet Mons. de Bienville.

On the 16th, having gotten aboard at the usual hour, we proceeded. One hour afterwards one of the boats sprung a considerable leak, a hidden stump having stove in the starboard bow. I immediately went to its assistance with another of our boats. We passed several hawsers beneath it to keep it afloat, and having discharged it of its load, I directed my boatswain to replace its side planks by new ones, which being done with but little delay, we reloaded it and pursued our course. We encamped in a grove at the extremity of a lengthy island opposite that called "Isle a la tete des morts," (the island with the heads of the dead.)

On the 17th Oct., all being embarked at dawn, we spent the subsequent night in our boats near the first island we had encountered that day, having made four leagues.

On the 18th, we set out with the early morn, and in the afternoon were compelled to make use of the tow-lines whilst rounding an extensive sand-bank in a southerly direction, owing to the fierceness of the current. We crossed the end of the bar at sunset towards the right, and again passed the night aboard, at a distance of half a league above what is called "the *small* Pointe Coupee."

On the 19th, we set out before day, and having passed to the left of the islands, we encamped upon a large bank on our left for a short stay.

On the 20th, being stationed on a bank over which there flew a large number of geese and ducks, we despatched a large number from day-break until 7 in the morning, at which time we were met by a conveyance going down to New Orleans from the depot. From it we learned that our first convoy had arrived there on the 12th, the day after the arrival of the Canadians who, including the Indians among them, were to the number of four hundred men. We also learned, from the same source, that the second convoy had lost six soldiers and one ensign.

The 21st, after roll-call, we embarked one hour before day, and having passed to the left of the first island on our route, we slept in our boats that night one-half league beyond the island, no one having landed owing to the fact that the landing was muddier than any previously met. We had observed during all that day, that the waters having gone down from nine to ten feet, had caused a large diminution in the force of the current.

The 22d, we departed one hour before day, the river still falling, and encamped five in the afternoon on a bank to the right. Here we discovered the pirogue of four Arcancas Indians, who were on a hunting expedition, such being the sole occupation of all the nations in this vicinity.

On the 23d, we decamped one hour before day and were joined soon after by a pirogue belonging to the convoy of Mons. de Bienville, from which we learned that the latter was only two leagues distant, on his way up to Arcancas, in the centre channel of the three which we had discovered and was now ascending. We finally moored our vessels ashore, one-half a league further up to the left,

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each boat arriving separately and at intervals owing to the violent currents which we had encountered. At 10 o'clock at night we were joined by several boats belonging to the convoy of Mons. de Bienville, which soon left us to regain the latter on the opposite shore and a little above us.

On the 24th we continued on our journey at five of the morning, and overtook Mons. de Bienville at 8 o'clock. The wind being north, and the weather rainy and very threatening, both convoys set out together only after twelve. We slept two leagues further, in our boats near each other, with a separate guard on shore, of which our own was to the right.

On the 25th, at three of the morning, the roll was beat separately, and Mons. Bienville having started, we embarked, but half an hour afterwards, taking to the channel on the left of the first island on our course, we encamped to the number of twelve boats at the first mouth of Arcancas river.

On the 26th, we were overtaken at five in the morning by one of our boats which had been unable to keep up with the rest on the preceding day, and were, consequently, unable to proceed before 8 o'clock. We passed the mouth of the Arcancas river on our left. This river appeared to me to run in a N. N. W. direction. The lodges of the Arcancas nation are distant seven leagues from the Mississippi. It is of considerable size, and can furnish four hundred warriors, who have ever been much attached to the French. Passing to the left of two islands, we encamped on a bank on our left, one quarter of a league from the last of the two.

On the 27th we embarked one hour before day and at nine o'clock of the morning we had reached opposite the north fork of the Arcancas river, which runs towards the W. and W. N. W. We passed it on our left, as well as two islands which lie at its mouth, and encamped upon the shore of the first.

On the 28th, we set out with the two first islands on our course to our left, and passed the night in our boats on that side at one-quarter of a league from the last island encountered.

On the 29th, having had heavy rains during the previous night, we were delayed until 7 o'clock, at which time the weather had slightly cleared up. We were, however, again arrested at about nine o'clock to await more favorable weather. At twelve o'clock we were enabled to proceed, and finally encamped on a bank to our right, having passed an island on that same side.

On the 30th, a storm which arose at 3 o'clock in the morning, prevented our setting out before seven A. M. We passed to the right of an island on our course, and then on the left of a second where we spent the night without, however, having slept ashore.

On the 31st, several of our boats having been delayed by the severe currents, and joined us only at seven in the morning, we could not depart before eight. Being favored by a stiff breeze from S. S. W., we took the left-hand channel of the first island which we encountered and slept on a bank to its right.

On the 1st November, the wind being from the same direction, we decamped one-half hour before day, and rounding one sand-bank, passed to the left of a small island. Taking a middle channel we passed another island to our right and running along the bank at its head, regained the bed of the river for fear we might not find sufficient water to the left. We passed the night at the end of "Eels" point.

On the 2d, we embarked at daybreak and passed the night in our boats one league from Fort St. Francis which lies on the edge of the "little prairie."

This fort is opposite the "Chicachat" to the left, garrisoned by only ten or twelve French soldiers.

On the 3d November, we embarked at six o'clock only, and by eight had reached a point opposite St. Francis, which is distant one-half the quarter of a league from the Mississippi, upon some stream. It is a slight work with four bastions constructed with rails, and has been established one year ago to serve for a depot during the war. It is now to be abandoned, as there has been another established at the mouth of the Margot river. We learned that seventeen of our soldiers died here, having been left sick by our convoys. We, ourselves, left here seven of our convoy. We procured fresh bread to last us four days, and a little fresh meat, after having, in the delay, experienced most atrocious weather. On the 4th inst., at one o'clock in the afternoon, we embarked agreeably to the orders of the previous night, and having passed to the left of the two islands which are found at the mouth of the river, we spent the night in our boats to starboard, having now begun to increase our picket-guard.

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The 5th November, we embarked the guard at break of day and ro
bar which extends out from St. Martin's Isle. This island derive
from a post which had been established upon it two years since, to
the discovery of the haunts of the Chicachat. We were overtaken
violent rain, that we were compelled to moor our boats to a point on
after having passed that island. Here we doubled the guard, havi
through a fleet of eight boats which had left the fort called Assum
fort St. Francis to procure biscuits, that several bodies of our enemies
the war-path, and that about fifteen canoes, capable of containing thre
persons, had been found, which gave us to believe that about fifty of th
had crossed to the left bank of the river.

On the 6th, notwithstanding the threatening aspect of the weather,
barked at day-break; but the rain having come on we moved our boats
channel to the first island we met, where we were exposed to the whole
the weather, joined to a frightful thunder storm until four o'clock in the
ing. Thence we proceeded to tie up at eight o'clock at the opposite end
same channel, having had to round the bars of two islands.

On the 7th we embarked at seven in the morning, having experienced d
the whole night, rains similar to those of the previous day, and which
until our departure. Taking advantage of a breeze from the S. S. E., w
countered violent currents and encamped on a sand bank to the right.

The 8th November we embarked at break of day, the wind being still S.
S. S. E., and rather favorable, and made three and a half leagues against
midable currents. We slept in our boats upon the left shore. In the aftern
of that day, we had met the "Grand Chacchocima" and one of the Avoye
on a hunting expedition, and had pierced three pirogues along the shore wh
we suspected belonged to the Chics.

On the 10th we had embarked one hour before day and passing through
Grand Channel, we arrived at long intervals, owing to the violent nature
the current, at Fort Assumption. I, myself, arrived only at midnight, havi
a very poor crew, sixteen of my soldiers being too sick to rise. On this accou
the commander complimented me on my safe arrival, as he had feared I migh
have perished on some shoal or snag. The garrison of the fort was place
under arms and the drums were beaten when Mons. de Nouaille had landed
This fort has been constructed at the foot of the steeps of Margot river three
fourths of a league to the right, and in the middle days of August, which lat-
ter circumstance has been the origin of its name Assumption. It is constructed
of piles, three bastions bearing on the plain and two half bastions on the river,
which is reached by seven different and wide slopes of one hundred and forty
feet each. In the center of these slopes have been constructed bakeries and
ovens scooped out of the walls of earth. The right was occupied by the bat-
talion of Regulars, and the left by various stores and the Colonial and Swiss
troops. The remainder of the forces were encamped on the exterior, including
the Canadians and savages, who encircled the whole of our left to the river.

Since the 11th October, 1739, had arrived with Mons. de Longueuil, from Can-
ada, 190 Frenchmen and savages as follows:

Iroquois, from the falls of St. Louis	
Iroquois, from the lake of the two mountains	126
Onabenakays	36
Zounontonas	18
Onnontagues	13
Onneyots	13
Goyagnouens	4
Napyzenguez	4
Algonking	29
Pontonatamis	3
Ounataona	40
Saultow	3
Maskonting	1
Ouiatomon	1
Miamis	1
Maoenons	2
	2
Total of savages, about	300

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We learned upon our arrival that on the 13th October, there had been found in the pirogues of the Illinois two letters, one of ancient date and the other dated during the current month, which the Chicachat had caused to be written by a Frenchman whom they had made prisoner at Davion's Rock. They requested in these letters the surrender of Courcerac, one of their chiefs whom we had captured by surprise, and proposed to return us the said Frenchman in exchange, who performed the office of their secretary, and who although a mere saddler by trade, had palmed himself off as a French chieftain. In the second letter, placed near the piles of the fort, and which had been discovered the next day, they sued for peace, asserting that all the nations were leagued against them, and the Tchactas, with whom they had concluded peace, were destroying some of their people every day. They proposed as conditions of the treaty to deliver up the ten prisoners which they had captured in the last pirogues plundered by them, on which occasion they had likewise burned three men, one of the latter having been a deserter from the company of the Chevalier de Coetlogon, of the marines, and whom we had transferred to this post to serve among the colonial troops. The answer to this proposition was delayed to await the arrival of Mons. de Bienville, who subsequently expressed his desire to accede to it, provided they gave sufficient sureties, and who nevertheless appeared in some measure embarrassed, though several savages had been offered him as hostages.

On the 24th of November, at about two in the evening, we had the arrival of Mons. de la Buissonniere, commander of the Illinois, with forty soldiers and some settlers. The next day the the following Indians, all under his orders, likewise arrived:

Kaskakyags	28
Metchigarmias	25
Petits Ossaguez	8
Missouris	56
Total	117

The Iroquis received them with the accustomed ceremonies, presenting them with the calumet to smoke, and then marked out for them the spot where they were to camp. The Missouris can furnish one hundred to one hundred and ten and the Petits Ossaguez seventy warriors. On the 26th those newly arrived regaled the Iroquis. The invitation to the feast is in the following manner: Certain small chips of wood are sent to the most considerable men of the invited nation, with the request that they distribute to whomsoever they please. Each guest upon his arrival casts his piece of wood to the ground. These are picked up and counted, and thus the number of the guests is verified. The repast begins by a harangue from the chief host, who also sings war-song after war-song, after which each receives his share of the meats.

On the 27th there was found at a distance of one-fourth of a league from our camp a reed, through which had been passed a piece of English cloth in the shape of a pouch, and filled with tobacco. At the top was an ear of corn, and beneath a bear-skin, the whole encircled by a ring of some kind. Five Chic savages had recently brought these enigmatical emblems which signified peace, both according to the interpretation of our savages and the people of the colony. By the ear of corn they mean that they desire to eat of the same bread; by the tobacco, smoke together, and by the bear-skin within a circle, sleep under the same roof. This is a sufficient indication that they are much impressed with their own weakness, although we must give them credit for much hardihood and intrepidity, for not fearing to approach a spot about which five hundred savages are continually roaming.

On the 12th November a pirogue containing Iroquois out hunting was attacked four leagues from the fort, on the opposite side of the river, by a band of Chicachats. The former were fired upon five or six times; one of their number was slightly wounded in the thigh. They replied with three volleys, and, supported by some of their friends who were coming up behind, allowed their boat to drift, when being reinforced and, to the number of fifteen in all, they landed, but merely found the tracks of six men, who had doubled upon them and used other ruses to avoid pursuit. They found the canoe in which they had crossed the river, and discovered on the other side a large body of the ene-

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my, forty strong, who had despatched the small detachment mentioned above on a scout.

On the 3rd November there departed one hundred Iroquois in an eastern direction, fifty Missouris along the river, and twenty-five Illinois in the interior for intelligence of the foe. The Iroquois returned some days subsequently without having obtained the whereabouts of the enemy.

On the 5th November Mons. de St. Pierre and Mons. le Blanc arrived from the post of the Illinois, without, however, having had any intelligence of the detachment of that nation who had left us two days before. Many supposed they had returned home, owing to the ungraceful reception they had received at the hand of the other savages because they had taken to flight and abandoned Mons. d'Artaguette, who had recently been burned alive in the "unfortunate expedition."

On the 11th of November, Mons. de Nouaille was harangued by every savage chief upon the subject of his arrival in good health, with protestations of being rather willing to die than abandon the nation. They are very particular to reiterate these marks of attachment upon the arrival of any considerable chief among us, inasmuch as the ceremony never is concluded without strong liquors and other presents.

At five in the evening the following reinforcements of savages arrived from up the river:

Chaonanons	26
Anniez	10
Mecissaguez	10
Zornontaons	6
Iroquois, from the falls of St. Louis	4
Kaskakias	30
Total	86

On the 14th, in the afternoon, arrived the fleet of Mons. de Bienville, which was saluted by the musketry of the savages.

The following days were employed by the savages in loud and emphatic professions of fidelity, cemented on our part by a large distribution of spirits, and on theirs by long and tedious harangues, in which at last the whole tribe would join with dancing and singing, or rather howlings and whinings, as an endorsement of the orations of their chief.

On the 24th November we dispatched a party of fifty men upon the tracks of the "Chicachat." On the same day, at 7 in the evening, we received a courier from a body of our Indians, who had fallen upon the "Chics" and captured one man and two women, (one of the latter being quite young) and killed another man, whose scalp, ears, tongue and a portion of the heart they sent us, the courier in meantime having eaten a small piece of the heart, whilst announcing the arrival of his comrades in the course of the next morning.

On the 25th the latter brought their prisoners to the fort, whom they had decked and daubed, as they do themselves on any great holiday. At one hundred steps from the fort they placed them in the hands of the "Iroquois," who had gone forth to meet them. The latter led them into the fort, holding the man in leash at the end of a line, which bound his arms yet permitted him to hold within his hands a rod garnished with the down of swan, as a token of servitude; whilst the women were led by the hand, the white flag being borne before them. The first visit of the prisoners was to the cabin of their captors, who were the "Poutouothamis," numbering eighteen. These were then harangued by their chiefs, when the prisoners were made to dance several times and finally led to Mons. de Bienville to whom they were presented. The captors then assured him they were indeed sorry to present him with such bad meat, that even the carrion-crow would not feast upon them, since they were so thin and wan, but they hoped that some time in the future they might be able to furnish him with such good meat as he might make his soup of. The prisoners were then made to dance and sing for the whole assembly. Mons. de Bienville accepted them, but returned them the man and one of the women, retaining the younger one to present her to M'dme de Noyant, the wife of the colonial mayor. The Iroquois now in possession of two of the prisoners, assembled in the afternoon to deliberate what should be done with them. The Missiona-

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ries having interposed (with prayers and representation as though they were addressing christians) in behalf of the prisoners, obtained their promise that they would not burn them. They kept their word but turned them over to the "Missouris," who after having accepted them held a council which soon after decided as to their fate. From that moment they took the necessary care to exclude them from their lodge, which is divided in two parts, that of peace and that of war. For that reason, as they had decided firstly to put the man to death, they placed him opposite their cabins upon a couple of deer-skins, and between three fires to shield him from the coldness of the night, during which time they sang and danced around him, occasionally throwing themselves upon him like rabid dogs and biting him in the thighs to keep him awake, assuring him in the meanwhile that as soon as the sun appeared he would be tied to the stake. Notwithstanding the awful treatment to which he was subjected, he neither complained nor spoke one word, being in a half-insensible state from such horrible cruelties, and having in his flesh the stone point of an arrow which had pierced his side.

During this ceremony, he was frequently questioned concerning the doings of the "Chics," but refused at first to answer, pretending not to understand the tongue of his captors, but being forcibly made to swallow a large quantity of liquor he soon began to talk. He affirmed that the "Chis" were awaiting us with firm foot, and even intended to set out to encounter us, so that falling themselves upon their own soil, we might not be able to corrupt it.* He also declared that there were eleven Englishmen at their fort with merchandise and munitions of war. The old woman was questioned apart, and corroborated what the latter had said, but their accounts were not in accord with the relation of the young woman, who stated that there were families already beginning to retire among the "Natchez" and "Cherakis" or "Flat-heads," and that they themselves to the number of ten (two of whom had escaped) were going thither when surprised. The man confessed that he was with the "Natchez" who had burned Messrs. de Levy and d'Artaguette eighteen months before. The fear of fire induced him to say that he had always regretted the death of these French, but his compassion for us in no wise excited the sympathy of the "Missouris" in whose hands he had fallen.

On the 26th, at nine in the morning, he was tied to the stake, which consists of two poles or trees four feet apart, to each of which is fastened one arm, and a cross piece below on which rest the feet. They then applied bars of red-hot iron upon all the most sensible parts of his body. He was exposed to these atrocities for three hours, at the end of which time he expired.

Several officers, and others, affirmed that before starting on their expedition, the nation had addressed the following prayer to the Lord: "O Master of life, forgive us if we shed the blood of any man, but he who has prostituted it by his evil deeds." Hence they may be said to recognize a Supreme Being. There are many others who share the same belief, and who even admit and appear to have knowledge of a good and evil spirit; they, however, but rarely if if ever appeal to the good one, being persuaded that on account of his goodness he is ever disposed to pity and forgive, and when they address the evil one, it is privately, as among them there are no public prayers.

The Chaonanons restored their female prisoner to the Iroquois, who presented her to the Zornontonans. The latter consumed her just as the man had been treated, with the exception that the wrists were tied to a vine which fell from the top of a tree, and the limbs were free. It appears that among them the women are more courageous than the men, inasmuch as she never complained and suffered much longer, which caused the savages to lose patience. They consequently scalped her alive, and subsequently quartered her to throw her body piecemeal into the fire. At nine in the evening we had an alarm caused by loud cries, and volleys which the savages were firing about their camp. Upon enquiries being hastily made we learned that it was a ceremony among them used to drive away the Evil Spirit of those they had burned, and which they practiced each time an enemy was put to death.

On the 27th of November, Mons. de la Houssaye, officer in the Colony, arrived with his command. Their return had been hastened by the desertion of their guide, who was a Chicachat and a slave since the age of seven or eight,

*Mark the nobility of this sentiment.

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and belonged to a French settler from Illinois. Being considered almost as one of the family, he had no reason to desert, which causes us to believe he will return. Indeed, the same thing had occured five years before. Upon the route which Mons. de la Houssaye had taken, and in the space of four and three-fourths leagues he found seven bayous or small rivers, across which it would be necessary to construct bridges, so that, it being out of the question, it has been determined for future epeditions to take a more northerly direction with the hope of finding fewer obstacles in the way.

On the 29th November the Chicachat guide returned and informed us that he had missed his way.

On the 1st of December, being more than ever at a loss regarding the proper course to take in the interior, owing to the contradictory reports made by exploring parties on their return, we despatched on a tour of discovery forty-five Canadians and one hundred and twenty savages belonging to the various tribes in our friendship. The Grand Chaccoux, since a long time chief of the friendly Indians, left this morning to embark at the mouth of the Hyazous river in order to proceed to the headquarters of the Tchactas to treat with them.

On the 8th December, five Illinois who had left with the above party returned. They reported having left the expedition at the fork of Hyazous river. They had found the roads thither very bad and exceedingly swampy in some places. They reported that they had strayed from the rest of the expedition in the pursuit of a "Chic," whom, however, they had not succeeded in capturing, and that lacking provisions, they had been compelled to return to the fort.

On the 11th a letter was received from Mons. de St. Pierre to the effect that fearing the want of provisions he had constructed a small fort at the fork of the Hyazous river, and had sent thirty savages to hunt the buffalo. The Indian guide having told them that it would be necessary to cross a river at a distance of two leagues from the fort, Mons. de St. Pierre had proceeded thither with Mr. de Levy, a young engineer. They reported the river to be eighty feet wide, and that it would be necessary to drive piles to construct a bridge across it, as there were no trees in that section sufficiently long to reach from one side to the other. They make no mention of the roads and have been unwilling to confide a detailed plan of their route to the Indians lest they might mislay it. They say there are twelve of their Indians who left them to join the Chicachat, and that an expedition sent against the latter by Mons. St. Pierre had stopped five leagues from them and returned for want of supplies.

On the 13th December, and in accordance with news received on the previous day, we were informed that the beeves and horses which we were expecting from the post on Red river, had arrived to within three leagues of the fort, and that a large number had been lost on the way. We dispatched twenty men as a reinforcement to bring them to the fort. We likewise on that day sent eleven savages with supplies for the expedition which had set out on the discovery of a road to the Chicachat, and had halted on the first fork of the Hyazous. On the 13th the beeves to the number of eighty pairs, and horses numbering forty, arrived.

On the 16th a party of the Chaonanons, who had set out against the "Chic," returned. They reported having discovered a body of the enemy twenty-five strong, on horseback, which they forbore to attack owing to their superiority in numbers, they themselves not being more than eight or ten. A short distance from the fort they discovered two "Chic," one of whom, upon perceiving them, escaped in a canebrake, while the other placed himself behind a tree and made a stout defense. One of ours having approached to capture him was shot and wounded in three places. One ball struck him under the right nipple and glancing off without entering his body wounded him next under the shoulder-blade, another struck him the thigh. Having fired, the "Chic" attempted to escape by crossing the river, but was killed in entering it. They brought back his arms and a number of necklaces much esteemed among them, and left three of their party to care for their wounded comrade and bring him back.

On the 17th Messrs. de St. Pierre and Delery arrived. They reported having been very near the Chicachat fort, without, however, having seen it, it being intercepted by a small mountain. But they judged it to be but a short distance away, from the frequent volleys and cries which they distinctly heard. Our savages having killed a horse belonging to the Chichachats, brought us

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back its tail as a voucher that they had not been far from the dwellings of the enemy. They do not agree as to the distance. Some place it at fifty or sixty leagues in the east southeast. Mons. de St Pierre makes it from forty to forty-eight leagues. There are five bayous or rivers over which it will be necessary to build bridges. They found the roads in a sufficiently good condition except near the Hyazous river, where there lies upon this side a marsh five hundred steps in length, in which one sinks to the knees, and on the other side another six hundred steps long. We that day led our beeves and horses at the end of the cliffs, and established a sort of park in some small ravines grown with cane on the banks of Margot river. Here they are enclosed every evening. We also erected a small retranchment for a guard of thirty men under a command of two officers who were relieved every two days. We also sent to St. Francis fort in quest of the beeves to the number of thirty-two which had been lost on the way. Several days since the last of the king's property had reached us from there, and the guard turned over by Mons. de Berac to a sergeant and twenty soldiers.

On the 18th December and during the night a large number of the savages became intoxicated, causing great excitement. One of them, who was chief of the Poults, went to the cabin of a Canadian and requested with much persistence to be given some spirits. The latter becoming impatient at the importunities of the savage struck him three or four blows with a hatchet on the top of the head which placed it in a jelly, and he fell as dead near the lodge. He was thence taken to the hospital, but with little hope, although he lived for two days. This murder caused a sort of revolution among the drunken savages, so far that the whole nation was for several days on the point of attacking the French to avenge their comrade, but the young men took possession of their arms and carried them to the missionaries. The murderer was arrested, which fact induced the savages to demand that he be delivered into their hands, threatening at the same time to scalp some of our chief officers. As it was feared they might rise upon us in the night the soldiers were ordered to keep their arms in their tents, and to hold themselves at all times in readiness for the first sign of alarm.

On the 19th, a large number of presents was made to the wife of the murdered man; such as articles of clothing ornamented with gold and silver linings, three porcelain necklaces, estimated at thirty "pistolles" each, and several "calumets," much esteemed among them. The Iroquis, a nation much attached to us, also bestowed presents to console the family and nation of the Poults for the loss which they had just experienced. In the afternoon he was buried with great ceremony, and fifty soldiers of the colony were placed under arms to do honor to the dead. Before depositing the bier in the trench, the savage master of ceremonies harangued the departed, having previously offered him to smoke, and then exhorted him to lead a good life in the country to which he was going, with Mons. Artaguette and all the Frenchmen of his acquaintance who had gone before him, and although the latter might be one of those who had brought him to the grave, he should forget what had taken place. This nation, (the Poults,) is not Catholic, but they addressed a sort of prayer to the Great Spirit, and then came to ask of Mons. de Bienville the grace of the guilty man. The latter replied that in accordance with our laws, we were compelled to try him by court-martial, and that he would subsequently be taken to their camp or before their cabins to have his head broken. So far this adventure has cost the King more than one thousand crown pieces.

On the 20th December, upon the strength of a report of a Canadian who was with Mons. d'Artaguette when he was killed, we resolved to send a party with him and by another route, which he asserts is a shorter one, against the Chics. All this delay was annoying us considerably, and the savages even more. Seventeen Missouris have just left, bound homeward. About two in the afternoon all the chiefs of the various tribes proceeded to the quarters of Mons. de Bienville and threatened to leave unless he fixed a day for our departure, saying that they had been put off from moon to moon and trifled with; that they saw no appearance of a near departure, which state of things wearied them much; that they could well perceive we desired to set out, but that he was afraid and was a squaw. Mons. de Bienville promised them that by the end of the present moon, we would all be off for the Chics.

On the 21st, thirty Iroquois set out to attack, they said, the Chics, and in

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case they failed to find them, to strike at the Cherokys and Tete-platte or Flat-heads, nations with which they are at war, and which lie on their way in their journey to Canada.

The Poultouatamis went this morning to renew their prayers to Mons. de Bienville for the pardon of the Canadian, and to influence him in his favor, presented him with a porcelain necklace. He replied that the next day a court-martial would be held to take action upon the same.

On the 22d December the court met and declared that if the criminal had any accuser they could not but find him guilty, upon which both the offended nation and criminal were summoned. The former were then assured that upon their representations, the court was willing to be merciful, and that although the murderer was exceedingly culpable, they were free to restore him to liberty by taking off his irons, which the wife of the dead chief immediately did. Before freeing him, however, the court condemned him to a fine of thirty pistolles, payable in merchandise for the benefit of the Nation. At twelve o'clock Mons. de Mouchervoux, commander of Arcancas, arrived. He reports that the expedition from Natkytoches, consisting of the long expected beeves and horses, had stopped at the village of the Kadoudakioux broken down with hunger and fatigue; and that out of two hundred horses it is barely probable that eighty reached Arcancas, in very bad condition, the rest having been lost by death or otherwise.

On the 23d December the Poultouatamis left with all their baggage and even their women, which made us conjecture that they had entirely taken leave of us. During that day and night one hundred savages, of various nations, deserted us.

On the 24th December, Mons. Saucier, engineer, left with a detachment of Arcancas and some Canadians, to endeavor to discover the road by which Mons. d'Artaguet had reached the Chicks. Messrs. de Bienville, Nouaille, Longueil and de Noyant, having met, decided that we would set out against the Chics towards the end of next week. The plan adopted was to direct all movements in two bodies. Our first five companies have orders to hold themselves in readiness to march, as also our grenadiers.

On the 26th, at half-past four of the afternoon, Mr. Saucier arrived and reported, as did also the savages, that at a distance of six and seven leagues in the N. N. E. and N. E., according to the route they had pursued, the lands were being overflowed, which fact had caused him to hasten his return, in order to notify Mons. de Bienville. On that day we lowered to the foot of the cliffs our eight, two and four-pounders, and a nine-inch mortar, with the intention of placing them on board a vessel bound for the city, as we did not expect using them during the campaign. This manœuvre did not please the savages, who suspected that we had no intention of making the expedition by way of the heights of Margot river, as the season was already too much advanced.

On the 27th, we had the arrival of a boat with two pirogues loaded with flour and coming from the Illinois.

On the 28th the five Iroquois, who had left Mons. de St. Pierre, and for whose scalp there had been some anxiety, returned and reported having been as near as was practicable to the villages of the Chics. They had remained in a ravine or cane-brake without finding one opportunity to strike a blow, and had seen a party of the enemy but on one occasion, when, being discovered and not being in force to resist, they had been compelled to fly and return to the fort.

On the 30th December, we observed that the river was rising fast, which compelled us to embark at once the cannons and mortar which we had taken to the base of the cliffs. These are to leave within a short time for New Orleans. The present rise may be caused by the continuous rains which we have had for the past few days, which occurrence is rather frequent at this season, the rise being further increased by the melting of the snows towards the end of February.

On the 31st December, Mons. Broutin, engineer, and Mons. Celoron, Canadian officer, left with one hundred men, including thirty savages, to ascertain the condition of the roads as far as the Hyazous river. Many people pretend that it is impossible to reach it at this season, particularly with wagons.

On the 1st of January, 1740, at two in the afternoon, there arrived a band of thirteen Chaouarons, bringing with them a Chick slave and two scalps. One

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hour afterwards, there also arrived twenty-three Illinois with one scalp and two prisoners, of whom one was a slave. The other, who was much younger, and whom they proposed adopting, walked with the troop unfettered, as otherwise the other nations mistaking him for a slave might have maltreated him. These two nations were unknown to each other in the same part of the enemy's country, and as, when they are at war they have two men as an advance guard, the latter finally met upon the same Chic trail. They followed it up together until they observed the enemy's camp-fires, when it was agreed between them that, having shared the discovery, they should likewise share the glory. The main bodies of each having been acquainted with this agreement and approved it, they fell upon the Chics together and killed two of them, making three prisoners. One of those captured by the Illinois is aged forty and is chief of war and of a village among his nation. He was considerably bruised upon his arrival, by blows received at the hands of different savages, who being for the most part drunk, were disputing concerning the ownership of the prisoner; and this fact joined to the jealousy and contempt of the Iroquois for the victors, gave us apprehensions of something worse than a drunken row among them. This fate, however, was not shared by the prisoner of the Chaonarons, who comprise a nation much esteemed among them. The slaves were taken to Mons. de Bienville, who refused to return them to their captors, lest, in their present intoxicated condition, they use them ill during the night, but he promised to deliver them to their masters by the next morning at sunrise. They were placed in the guard-house with irons upon their feet. On their being questioned, they replied that they were at war with the Chaquetas, who frequently carried some of them home as slaves; that they had eight forts, of which six were slightly dilapidated, the two others in good condition, and all newly built. In one of the forts were enclosed all of their women; that they had but one hundred and eighty warriors to defend them, the others being on a hunt, and that they were even surprised at our not capturing many more of their people. They reckoned it would take them eight days for them to reach home with their arms, baggage and families; that the road was so much better the nearer north we went, and that there resided with them but about twenty Natchez, whom they treated no better than slaves; the rest having taken refuge among the Cherakys and Tetes Plattes, (Flat-heads.)

On the 2nd of January, the savages made a second request for their prisoners, who were immediately turned over to them. They led them to their cabins, where they daubed them over in black and red. Then they compelled them to dance before their doors, and next went to present them to Mons. de Bienville, who requested them to take them back immediately. The Chaonanons adopted their prisoner by attaching at the end of his nose a thread to which was suspended a piece of polished ivory. The Illinois adopted the younger of theirs, aged fifteen or sixteen years, and made present of the other to the Iroquois. The latter have among them two Chics, adopted by them since several years, one of whom is found to be the nephew of the prisoner, which leads one to believe that with such a nation as its protector he will suffer no harm. I do not believe the prisoners, however, free from all danger, as I have observed that they were closely watched, and that at sunset one of their feet was placed in a sort of clog or shoe, dug in the earth between two stout sticks and securely fastened there.

On the 3rd of January, Mons. de Mouchervan, who had gone several days before to meet the Arcangas, arrived with seventy of these warriors. They at once set to dancing and haranguing Mons. de Bienville, and then established their cabins a quarter of a league from the camp of our savages. This nation refused to occupy quarters with the others, owing to their various superstitions, besides which they appear suspicious of the Iroquis, who are allied to the Eurons, since a long time at war with them.

On the 4th of January, the rains continuing produced a considerable rise in the river, setting adrift on its bosom a great number of large trees. The Missouris sought an interview with Mons. de Bienville to assure him that three of their tribe had taken to the woods on the previous night, but that those who were now on the war path had attacked the enemy and would return by the second day.

On the 6th, in the afternoon, the Missouris who had been out returned with six horses taken from the Chics, having unfastened their bridles from near the

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forts. On the same night they heard considerable dancing and they indulged in similar noise themselves without being able to induce the Chics to come out. They assured us that the road which they had taken was very bad, which had compelled them frequently to take to swimming. They do not give a very definite idea as to the distance or the shape of the forts, which we infer, however, are round and furnished with occasional fortified outhouses.

On the 9th of January we dispatched twenty savages with supplies for the party of Mr. Brouten. On the same day the Iroquois presented their Chic slave to the Abenakis. During the night he came near escaping. There was found upon him a knife, some bullets and powder, the whole concealed about his waist. His Iroquois nephew is suspected of having thus assisted him, which caused the Chic's new masters to observe him more closely.

On the 10th, and at nine in the evening, a boat arrived from the Illinois with twelve thousand pounds of flour as well as other necessaries of life.

On the 11th Messrs. Brouten and Celeron returned, and reported that having taken a more northerly direction than any other expedition they had found the roads in good order and interspersed with small mounds. They had reached Hyazous river and estimated the distance at twenty-five leagues. They had even taken cognizance of the pine forest which is three leagues from it, and from which they were separated only by the Plaquymines river, which they estimate being distant from the Chics only eight or nine leagues. They had dispatched fifteen of their savages and two Canadians to carry to them a letter from Mons. Bienville.

On the 12th we fired four bombs, two of six and two of nine inches, in order to make an impression on the Arcanças and other savages who doubted what they had heard concerning us. From this moment they were thoroughly convinced, and agreed unanimously that we were not men, but Great Spirits. They proposed if we marched against the Chics to carry on their shoulders the shells and six inch mortar, which caused us to determine upon landing the artillery which we had resolved sending to the city.

On the 13th one of the Chic slaves stated that by the full of the moon, two bands of Chics would arrive in this neighborhood to endeavor to ascertain what was going on at the fort and to see if we were making preparations to set out. He also assured us that they would certainly make themselves heard from.

On the 14th the Iroquois party and the two Canadians who had gone to carry a letter to the Chics, returned and reported having delivered it stuck in the end of a reed covered with bear-skin, and which they had planted in the belly of a horse, slain by them near the Chic's forts. Judging from the noises which they had overheard at night on their way back, they had had cognizance of a body of one hundred men to the north of our fort in the direction of the Prudhomme heights, and of another party of seven or eight. Towards nine in the evening a Canadian youth having gone into the wood for some purpose perceived a savage coming near him, and dragging himself on his belly, and who being observed concealed himself behind a tree. The youth returned to his quarters immediately, and advised six or seven of his comrades of the fact, who returned with arms to the spot but found nothing, but a dog who had followed them took up a trail and begun barking. The savages were warned of the fact and they detached a guard of one hundred men for duty during the whole night. Their manner of mounting guard is this: They sit down upon their heels, and naked so that the cold may prevent them from falling asleep, and keep their weapons within their arms. They were given a countersign so that in case of need we might not be deceived by their resemblance to the enemy.

On the 15th the battalion was reviewed. Its ten companies were found reduced to an average of fourteen men each and the grenadiers to twenty-eight men, although there were besides about fifty men in sufficient health to follow us.

On the 16th work was commenced on the roads and thirty men were ordered to support the workmen, the two officers in command being relieved every day.

On the 17th a boat was dispatched to the Arcs to procure salt beef. The Chaonanons departed homeward, after having sold their slave to the king. They were unable to remain any longer with us as it is ordinarily in January and February that the Cherakis and Tetes-plattes, their neighbors, fall upon them.

On the 18th we dispatched three boats for New Orleans, containing fifty men on the sick list of the battalion, and Mons. de Tremigon, captain, attacked with

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paralysis. In the afternoon two Micissaguez arrived with a female scalp. They had been several days in the brush near a Chic fort, and had seen several parties of the enemy, which, however, they had not dared to attack.

On the 19th were sent two boats to the Illinois for flour.

On the 21st the Arcanqas left for their homes pretexting that they were all attacked with dysentery, but the truth is they are too inconstant to be delayed by the length of time which we employ in our preparations for departure. It is a long time, however, since all the other savages have given them that example, notwithstanding that they are sure to find the upper country submerged and freezing. And yet the Iroquois went to-day to see Mons. de Bienville and to warn him that since he had not yet set out they were going themselves against the Chics, that they would await us there for eight days, at the end of which time if they heard no news from us they would attack. He replied to them that the inclement weather having interrupted his preparations, prevented him from marching within two or three days as had been expected. The Micissaguez, complaining that they were being overflowed in their quarters, also threaten to go and await us on the road to the Chics, and say they will camp and hunt on the prairie until our arrival.

A band of Iroquois, who had been in search of a pirogue, said by the Chic slave to have been left on the bank of the river in the direction of the Prudhomme heights, arrived and reported having found it, and discovered the tracks of ten men suspected to be Chics, as they also discovered a letter, a sack full of corn, a bundle of sticks and two hatchets, which they brought back. The letter was written in English with powder dissolved in water, which causes the characters to be so indistinct that it is impossible to decipher them; after having dried it thoroughly all that can be ascertained from it is that its date is very ancient. This letter and another which had been taken to the Chics a few days before gave occasion to a good word from an Iroquois chief, who said that a *gun shot was a brave; but a letter was a fraud.*

On the 22d one of our boats which had left three days before for the Illinois was compelled, so we were informed, to put ashore owing the disorder existing among the crew.

On the 23d about fifteen Canadians escaped with one of our conveyances during the night. They are suspected of having gone to join the boat which had continued on its route to the Illinois.

The Missouris danced all night the dog dance around the female Chic slave, and requested the gift of her from the master, saying that they desired to eat meat and drink the soup which they would make of her. It is a law among the savages that when a nation or village desire a slave, they should spend the night in dancing around it. The chief of the Abenakis consequently replied to them that they could not dispose of her in such a manner, as the Missouris should reflect that the Iroquois had presented her to them and the French themselves appeared anxious to obtain her. It is believed that to avoid such future occurrences Mons. de Bienville will purchase the slave, especially as she is not too safe in the hands of the Abenakis, she having been found twice with her bonds unloosened. The weather having cleared up, work on the roads was resumed with the ordinary guard, which, however, owing to the distance from camp, was to be relieved only every ten days.

On the 25th such of the Poultonatamis to the number of nine or ten, as had not followed the discontented upon the death of their chief went to establish themselves upon the road at a league from the fort, as also the Micissaguez and Nepyzinguez.

On the 27th all our workmen and their guides returned, having, they counted, made six leagues of road, and reached a ground of such a nature as to be easily overcome. That which they have cleared consists merely of a road, the trees and plants upon which they have cut in a width of thirty to thirty-five feet, to within one foot of the earth. This evening we began distributing to the savages their supplies for one month, as the Iroquois, in the name of all the nations, have obtained, by dint of importunities, liberty to set out against the Chics. The whole Canadian force accompany them. Their plan is to reach one of their forts before day, to conceal themselves full length upon the ground with a large front and to engage the eighty Chics who at that hour make the rounds of their fort. At the noise of the combat they do not

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doubt but that the rest of their warriors will issue from the fort to assist their friends, when the center will maintain the combat whilst the wings will converge to seize and enter their fort, where they promise to take advantage of the situation to strike as hard as they may, after which they will endeavor to secure a peace as it appears we are wishing to obtain, although it does not seem impossible for us to reach the enemy's country ourselves. They are to take the slave chief, with whose assistance they hope, and we likewise, that the peace negotiations will be much advanced.

On the 28th a Canadian having ill-used a negro belonging to an officer of the colony, took upon himself, when the master was about, to chastise him, to cry "Canadians to the rescue," which occasioned a rising among them. Several officers who were upon the spot caused eight or nine of the most vexatious to be ironed. The Iroquois having heard of the occurence went on the spot to Mons. de Bienville to demand their being placed at liberty, saying that they were their brothers and warriors like themselves, and that if he desired to chastise any one it should be such lazy soldiers as did not go to war (that was addressed to us,) and that as far as they were concerned they would refuse to set out unless their remonstrances were heeded. Mons. de Bienville replied that if they were found guilty they could not escape punishment. They were, however, all released with the exception of two of the most criminal. On the same evening the savages were treated in view of their intended departure. They were given a barrel of wine, a fine beef and several pounds of bread.

On the 30th the battalion took up arms to review the Commissariat.

On the 31st the Colonial troops did likewise. There arrived three pirogues of hunters coming from the Ouabache with seventeen thousand pounds of salt meats which had been purchased there by the king.

On the 1st of February a large portion of the savages and Canadians began to file past on their way to a spot a half league from the fort where they are to await the rest of their people, so as to set out all together.

On the 2d, the Iroquois, who were among the last to go, departed in the morning, leaving five of their people to tend their sick to the number of nine or ten. The Aberakis also left with them and placed their prisoner in our guard-house to be ironed. His comrade had been imprisoned there before him. The Missouris did not leave with the above, as they were in doubt concerning the fate of a dozen of their comrades who were out hunting since fifteen days and had not returned. The latter, however, having arrived in the afternoon, they set out with the Canadians, who were supplied with a small quantity of grenades. Their arms, as well as those of the savages, consisted of a gun and hatchet. This whole body had set out under the command of Mons. St. Pierre, Lieutenant of a Canadian company, but it is generally believed that Mons. de Celeron, who had been indisposed, will leave shortly to assume command. There exists no doubt but that it is among the least of their designs to attack the Chicks. Two days before we had received a party of six Iroquois, all of them youths, the oldest having but seventeen or eighteen years, who reported having been five weeks wandering around the villages of the Chics, without having been able to see one man. They reached us by one of the branches of the Margot river, which they estimate having found eight leagues from the Chics' villages. This induced us to make an attempt to take cognizance of it, and Mr. Broutin, first engineer, consequently left in the morning accompanied by the company of grenadiers of the colony and some negroes in four pirogues, with provisions for nine days, to see for himself, and have confirmed the report we had received.

On the 3d, the whole body decamped from the point of rendezvous. Before leaving they planted a post five feet in height, painted red, to which they attached a hatchet turned toward the Chics, with two small bows whose strings were broken, two arrows without points, and two arrow heads which, together with the bows, were painted red; also a small leather bag filled with tobacco. The post signifies that they are setting forth on the war-path, and the rest that they are preparing to accord peace to their enemies, if they will sue for it.

On the 4th of February, at four in the afternoon, there arrived a soldier from among the Chaquetos, bearing several letters from New Orleans. From these we learned the death of four of our officers and fifty members of the battalion.

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The soldier informed us that the Grand Chatchouma, with a body of sixty Chaquetos, was distant only two leagues.

On the 5th, at two in the afternoon, the latter arrived with the Grand Chatchouma at their head, and bearing three white flags. They proceeded to harangue Mons. de Bienville, and demanded of him the two Chic prisoners, that they might burn them to revenge themselves of the massacre which their nation had practiced against them and which precludes the possibility of a reconciliation. Their hostility is of as long a date almost as ours, but having sent, two months ago, eighteen of their people to treat for peace with the Chics, the latter and several Englishmen, who were trafficing among them, invited them to enter a cabin to fill their powder-horns. They even told them to help themselves to balls and flints as much as they desired, giving them to understand that they would not confine them to a strict measure as the French were accustomed to do. They entered accordingly, leaving their guns at the door, which the Chics took advantage of to fire among them so effectually, that out of eighteen, there escaped but two, thanks to the agility of their limbs, who carried the news of their dire reception to their chief. The Chaquetos nation, which counts three thousand warriors, was, and with reason, indignant at this proceeding, and in consequence had sent the present large deputation to Mons. Bienville to inform him that it was their design to attack the Chis forts in twelve days with a force of one thousand, two hundred men, who, striking simultaneously, were well bent on giving no quarter. Their method of reckoning the number of days past in similar circumstances, is peculiar. They entrust their chief with a certain number of sticks, and keep a like number. The former is instructed to cast one away every day, which they verify by doing likewise themselves, and when there remains but one, it is the day on which they are to act.

Mr. Broutin and the grenadiers returned from their exploration. They estimate having gone up the river (Hyazous) six or seven leagues, following a winding course which led them to the eastward. They would have proceeded further, having found eleven feet of water, but were annoyed by the quantity of drift wood, which they had had much difficulty to rid themselves of. This they attributed to the low stage of the Mississippi, but they believe that during high water in April, May and June, it might be possible to go much further, inasmuch as judging from appearances, the river must rise twelve or thirteen feet.

On the 6th, Mons. de Celeron left with the rest of the Canadians and savages to join the main body, which will make its total strength reach two hundred Canadians and three hundred savages. His instructions are secret, but it is believed that the Natchez, who are the cause of the war, are all located in the same fort, and that he has orders to attack them; at any rate, to make terms with the Chics if possible. But we believe that the good or ill will of his savages will determine his line of conduct. It would be a most fortunate circumstance if he could arrive simultaneously with the Chaquetas. A boat from Arcancas arrived and brought us eight thousand pounds of salt meats, and three thousand of tallow, or bears' oil.

On the 8th, the Chaquetas departed to rejoin their people in the neighborhood of the Chics. Their departure was announced by a discharge of musketry, as is their wont when they arrive or take leave.

On the 9th, the council assembled to deliberate whether it would be politic to undertake to take the field, but after many adverse arguments, nothing was decided. This morning there arrived eight or nine Canadians, on behalf of Mons. Celeron, to procure munitions of war, as he had expended a large quantity on the game which they had encountered since their departure. They reckon having left the main body of the expedition ten leagues distance, carrying meat during their absence, which they proposed concealing in "caches," to consume on their return. These savages also requested one of our small mortars, together with a few bombs, flattering themselves that they would use it properly, but we refused to accede to their wish.

On the 10th, this small succor departed to rejoin our forces. They carry away one hundred pounds of balls, two hundred of powder, two dozen hoes and a half-dozen shovels.

On the 15th, the same council met and decided that it was utterly impossible

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to take the field, in consequence of which, Mons. de Bienville commanded the departure of eight boats for New Orleans.

On the 18th, seven boats left for the city, containing five officers and forty of our soldiers sick, besides a portion of our artillery and some supplies.

On the 19th, there left a boat for the city and a pirogue for Arcancas.

We have now dispatched, by various conveyances, nearly forty sick soldiers, besides a large number of officers and soldiers of the colony, as well as all the negroes of the settlers, nearly two hundred in number, keeping about thirty only, who belong to the king.

On the 20th, our company of grenadiers, sixty strong, left under the orders of Mons. d'Aubigny, Lieutenant of Marines, with provisions for ten days, and accompanied by four savages and several negroes, to reconnoitre the course of Margot river.

On the 21st, and in the evening, one of the grenadiers who had strayed from his command in the pursuit of a buffalo which he had wounded, arrived at the fort. Such an imprudence deserved a punishment, and he was, consequently, ironed on both feet.

On the 23d, Mr. Broutin advised us by a savage that he estimated being distant eight leagues from this place, and that he was in need of four days' rations for his return. We are to send the supplies to-morrow by ten men, although he had forgotten to state where they might overtake him.

On the 24th, two conveyances left for New Orleans.

On the 20th of March, Mons. de Celeron returned with his whole force, after having treated with the Chics for peace, bringing with him three chiefs and three Englishmen, the latter having accompanied the expedition with the intention of claiming damages for their horses which our savages had killed during the war. As sickness had compelled me to return to the city with several of our officers, I have been unable to learn the results of the expedition until after the return of all the troops.

On the 22d of March, Mons. de Bienville summoned a council to make the conditions of peace with the three Chics, deputed by the "Red Shoe," their great chief. They were asked to surrender all the Natchez who had taken refuge among them, to deliver up the ten prisoners, black and white, which they had captured from us, and thirdly to break off all commercial and friendly relations with the English. We, on our side, would return them the three Chick slaves in our possession.

The three deputies not daring to take upon themselves to make a definite reply to these propositions, were given eight days to confer with and bring back an answer from their Great Chief. Ten or twelve days having elapsed without any intelligence from the Chics, Mons. de Bienville directed Mons. de Nouaille to set out for the city with all the troops and to take with him the three Englishmen whom he would take good care to have imprisoned upon his arrival thither.

On the 31st of March, Mons. de Nouaille departed with ten boats, manned by all our troops. He took eight days to reach New Orleans, and upon his arrival executed the orders of Mons. de Bienville with respect to the three Englishmen. They were thrown in prison and have now remained there two months, which leads me to believe that it is possible we shall take them with us to France, inasmuch as they are suspected of having been the first to instigate the wars we are waging with different savage nations.

Intelligence received from Mons. de Bienville, under date of the 2d April, gave us information that the Chics had sent him a deputation to assure him that they ardently desired peace, that it was the Natchez and one of their chiefs who were the cause of all their difficulties; that they recognized their brothers in the French, and were willing to live and die for them; but that they were unable to fulfill the conditions exacted, as the Natchez had escaped from their forts, and there remained but one family, composed of a man, a woman and three children, whom they had now brought with them to deliver into their hands with permission to do with them what they chose. They promised, however, if ever, in the course of time, they fell in with the Natchez who had escaped, to capture them and carry them down to the great village. On the other hand they prayed that the French should appease all the neighboring nations and even those of the North, who had kept them enclosed so long

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within their forts that they were dying with hunger, not having a single day to hunt, and who slaughtered them if they strayed even within gun-range of their forts.

Mons. de Bienville replied that he would speak to all the nations which he had assembled for the war, but that as far as the Chaquetas were concerned, whom they, the Chics, had offended with so much impunity, far from inviting them to treat for peace, he would be the first to furnish them with powder and balls, until they had taken ample revenge for the affront they had received, after which only would he struggle to appease them. The Chics replied that they were, in no wise, accomplices in the assassination of the Chaquetas; that the criminals were twenty or thirty Englishmen who were trading among them, but that since the blame was thrown upon them, they would await the Chaquetas with a firm footing. They then took leave of him, requesting him at the same time, to furnish them with an escort lest they might be attacked by some savages who might be ignorant of the treaty just concluded. This was accorded them.

On the 9th of April, Mons. de Bienville reached this place with all the troops of the Colony, bringing with him the five Natchez which the Chics had turned over to him. He informed us that the English who had remained among the Chics, had demanded the surrender of their comrades, and compensation for sixty or eighty horses belonging to them which had been killed, and whose loss was the source of great harm and annoyance to them, as they had not another left to carry their merchandise or pursue their trade. Mons. de Bienville was deaf to their demands, especially as he suspects their passport to be false, which leads me to believe the prisoners will not be set at large.

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CHAPTER XI.

BIENVILLE thus terminated (1741), his military career under a cloud*. In a few months he was superseded by the Marquis de Vaudreuil, son of a former governor-general of Canada, an accomplished gentleman and courtier, who brought with him, to the colonial capital, the fashions, ceremonies and gallantry of his country. He was generous, gay and addicted to pleasure, but by no means deficient in vigilance and energy. The relations of the Chickasaws with the colony engaged his immediate attention. When their chiefs had visited Bienville at Fort Assumption, at the invitation of Celeron, and feasted with him and accepted amicable terms, they had the sagacity to perceive that it was the broken-down condition of his army, and not good will, that influenced the French general. They accepted his overtures for the time, but with increased confidence in their own invulnerability, and suppressed contempt for the French. They continued their marauding expeditions on the river. French voyagers were frequently murdered or captured, and carried into their country. But the arrival of a new governor, with the reports that reached them of his military talents, and the great resources at his command, induced the Chickasaws to send a delegation to New Orleans. Vaudreuil declined to treat unless the Choctaws, his allies, upon whom the Chickasaws had so often inflicted wrongs, were parties to the treaty. The Chickasaws then, in a very artful way, sought to draw the Choctaws into an alliance, under English support, against the French. This overture the adroit Vaudreuil detected and defeated by suborning Red Shoes, a famous chief of the Choctaws, who had long been inclined to the English, and had but recently been supplied by their traders with merchandise and liquors.

If the Indians of North America had retained their primitive habits, and ceased their incessant tribal wars, they could not have been conquered by colonists without trained and powerful armies. But in their contact with civilization, they acquired tastes and appetites that could only be gratified by traffic with, and subordination to the whites. Thus

*The Court coldly and unjustly received Bienville on his return to France. He had given forty years of his life to the service of the king, and most of his brothers had died in arms. He died in Paris, March 7, 1767, and was buried in the cemetery of Montmartre. No one family in the annals of France supplied so many brilliant officers. Eleven brothers in the army, two brothers-in-law and several nephews in the navy. Half of these fell in battle or died at their posts.

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they were induced to sell their lands, thus they enlisted under the banner of the invader, and fought against their natural allies and countrymen.

1745. Red Shoes belonged to the clan of the Six-town Choctaws, and resided near where Garlandsville, in Jasper county, Mississippi, now stands. He was a very audacious, troublesome fellow, and a great rascal. After bleeding the gallant Marquis very freely, and perceiving that his stock of printed stuffs and strouds, blankets and beads, tomahawks, knives and vermillion, powder and lead, sugar, rum and tobacco, was exhausted, and not replenished as fast as he expected, the long-headed chief regarded him as a sham and again went over to the English. He carried with him the great Mingo of the Alabamas, members of the Creek and Muscogee confederacy, who had generally been friends of the French. Vaudreuil visited Mobile, where twelve hundred Choctaws met him, received their annual presents and renewed pledges of friendship. Red Shoes refused to attend, and with his own hand tomahawked a French officer, Chevalier de Verbois, and two French traders, who chanced to arrive in his village.

1748. The factions in the Choctaw nation, fomented by the Chickasaws and the English, had been gradually growing more violent, and now broke out into civil war. The English party was the smallest but the most indefatigable and vindictive. They penetrated to the German settlement above New Orleans, committed several murders and occasioned general consternation. The defences of New Orleans were strengthened, and all the houses at Mobile were enclosed with palisades. Some Frenchmen were murdered in the swamp between the city and the lake, and a detachment of fifty men, under one Trixerant, on getting sight of three Indians fled without firing a shot. Shortly afterwards the French met the Choctaws on the bayou St. John, (the water approach from the lake to the city,) and after a sharp encounter defeated and dispersed them. This was the last rencontre with the Indians in the vicinity of New Orleans. They linger now in these same recesses, on the shores of their favorite lake, chanting their dirge-like songs, in tones as low and sweet as the ripple of its waters—the feeble remains of a once numerous and martial race!

While these incursions were being made by a few daring marauders, the jayhawkers of the English party, the war in the villages of the Choctaws, between the two factions, still raged. The Mingo, who led the party to the German settlement, was killed immediately on his return by his own brother, a chief in the French interest. A brother of Red Shoes, on his way from the Carolinas, was attacked and eight of his men slain. At last a pitched battle occurred in which the English faction was badly defeated, with the loss of one hundred and eighty warriors killed and wounded. This brought the parties to a parley, and it was agreed that there could be no peace while the arch-intriguer lived, and it was determined that Red Shoes must die! He was set upon and killed, while convoying to his village a train of English goods. The English traders, however, saved the goods, and by distributing them, revived the war, placing a brother of the deceased chief at the head of the partisans. They were soon after defeated and dispersed by Grand-Pre, a very active and efficient officer, who commanded a post on the Tombigbee.

1750. Of the thirty-two villages in the Choctaw nation, only two

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remained avowedly under English influence, but many outcasts and stragglers, the vilest marauders, were in their interest, and made it formidable. In a desperate battle about this time, refusing to fly, and not expecting or being offered quarter, they lost one hundred and thirty men, who fell where they fought. Shortly afterwards Grand-Pre, at the head of a party of Choctaws, and a few French, gave them the finishing blow, and they sued for peace. It was granted, on condition that any Choctaw who killed a Frenchman should be surrendered for punishment. That he who introduced an Englishman into the nation must die. That incessant war should be waged against the Chickasaws. That the villages of the English party, or rebels, should be destroyed and they should not be permitted to live in separate communities.*

Upon this the wily Chickasaws, who had covertly taken part in all these troubles, dreading a concentration of arms against themselves, made overtures, and as a peace-offering sent down some women and children captured in Arkansas. De Vaudreuil diplomatized. He, and his people and his government, still remembered with chagrin and mortification, the abortive expeditions of 1736 and 1740. So he received a willing response from the French minister, when he applied for permission to invade the Chickasaws.

1754. Collecting some seven hundred white troops at Mobile, and strongly reinforced by his Indian auxiliaries, he followed the route of Bienville in 1736, and ascended the Tombigbee to Cotton Gin, where he reconstructed and enlarged the fort built by his predecessor. His Canadian scouts soon ascertained that the Chickasaws had abandoned their fields, and shut themselves in stockades, strongly entrenched. De Soto, as we have seen, found their forefathers in 1541, strongly fortified, and it is presumed that, in later years, they had learned something from the Scotch and English traders, many of whom were retired soldiers, who had served in the wars of Europe. The Marquis de Vaudreuil was too good a soldier, and particularly with the disasters of his predecessor in his memory, to attack such works without suitable artillery, and discovering that he could draw them out neither by stratagem or bravado, he destroyed their fields and burnt their villages, inflicting much damage and suffering, by a method of war rarely justifiable, and which all civilized nations should interdict.

1753. The Marquis was soon after transferred to Canada, and the government of the colony was bestowed on Kerlerec, a veteran officer of the royal navy. In one of his earliest dispatches he says of the Choctaws: "I am satisfied with them. They are true to their plighted

*For most of these details, occurring during the administration of Vaudreuil, I am indebted to the Hon. Charles Gayarre, the distinguished historian and civilian of Louisiana, (who wrote from the official correspondence in Paris,) whose works have all the interest of romance and authenticity of history. He is remarkable for his industrious research, severe scrutiny, impartial comment, and judicial calmness, while investigating facts and discussing motives, and he throws over all this the charm of fancy in a style piquant and picturesque. In modern literature there are no books that provoke more interest from the first line to the last, than his various volumes on the history of Louisiana. This eminent man has filled the high offices of legislator, Secretary of State, Reporter of the Supreme Court, Senator of the United States. He is still in the maturity of his powers, an orator, writer, linguist and juris-consult, a citizen without stain or reproach. He would adorn any position, but is particularly fitted for diplomatic service.

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faith. But we must be the same in our transactions with them. They are men who reflect, and who have more logic and precision in their reasoning than is supposed." This was a true estimate of the Indians, and had it been acted on by the whites in their transactions with that unhappy race, our history would not be the bloody record that it is.

1754. About this time, under the administration of Kerlerec, a horrible incident occurred at Cat Island, on the sea-board of Mississippi, where the French maintained a small garrison. The commandant, Duroux, was cruel and exacting. He frequently punished his men by stripping them naked and exposing them all night to the mosquitoes and sand flies. They finally killed him and fled to the mainland, with the hope of making their way to the English settlements. They were pursued by the Choctaws in the interest of the French, arrested and carried to New Orleans. Two were broken on the wheel, and one, a Swiss, was, by his own countrymen, in the service of Kerlerec, placed alive in a coffin, and his body was then sawed in two pieces.

Baudrot, a private citizen, residing at the time on Cat Island, a famous hunter and courier, had been compelled by the mutineers to pilot them in their flight, after the murder of the commandant. Kerlerec, a stern disciplinarian, had him tried as an accessory; he was convicted, notwithstanding his producing an attestation from the mutineers that he had acted under coercion; was broken on the wheel and his body cast into the river, as unworthy of sepulture.

Louisiana was much neglected by the mother country during the administration of Kerlerec, owing to her own exhausted condition and feeble government; and the Choctaws, had they been hostile, could have overrun the colony.

On the 3d November, 1762, a secret treaty was signed at Paris, by which the king of France, without any consideration or reservation, donated the whole country known as Louisiana to the king of Spain. There had been no negotiation whatever—no overtures on the part of Spain. It was an absolute gift, tendered through the Spanish ambassador, and only accepted by him on the condition that his royal master should approve the act. Given by one king, from sheer inability to maintain it out of his treasury or to defend it against his enemies, and accepted by the other without any demonstrations of satisfaction.

By this *secret* treaty, the present sea-board of Mississippi and Alabama, as far as the Perdido, and all the country embraced in the province of Louisiana, was transferred to Spain.

1763. February 16th, a treaty of peace was agreed to at Paris, between Great Britain, Spain and France. By this treaty, France ceded to Great Britain all that portion of Louisiana lying on the east side of the Mississippi river, from its head waters to the Manshac or Iberville, and from thence by a line in the middle of that stream to the river Amite; thence down the middle of that river through lakes Maurepas and Pontchartrain, to the sea. France, likewise, ceded the fort and river of Mobile. And Spain ceded the whole country lying between the Perdido river and the St. Mary's river, then known as Florida. Thus France divested herself of her entire claim, and Spain retained, on the east of the Mississippi, only the island of New Orleans, embraced between the River Manshac, the Amite, the lakes and the Mississippi river, as above described.

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By this tri-partite treaty, it will be noted that France ceded to Great Britain a portion of territory that in the secret treaty had been ceded to Spain, but as both parties signed the last treaty no impediments were offered.

Thus all Louisiana, including the sea-board of Mississippi, passed from the dominion of the French. All traces of her occupancy of that coast, since Iberville first landed there, February 6th, 1699, have long since passed away. The forts at Biloxi, Mobile, Dauphine Island and Tombigbee, where the cadets of the noblest families of France resided, have disappeared. The bones of the gallant Sauvolle, Tonti, Loubois, and many of the knights of St. Louis, moulder in our soil at Biloxi. The story of their occupation has become a dim tradition. But the colonists she planted on our sea-board—especially the hardy Canadians—still live in their descendants, preserving their provincial dialect and primitive habits—their fondness for hunting—their skill with the lasso and the oar—their songs and dances—and in many instances, the physiological peculiarities of the races with whom they intermarried.

During the many years that the French had held Louisiana, they exhibited a surprising inaptitude for establishing colonies. They brought with them from France the national energy, enterprise, fertility of resource and vivacity, with as much of science and intelligence as existed at that day. They received frequent and generous supplies from the mother country, particularly while the colony was administered by Crozat and the Western Company; they had assistance from Canada and the Illinois—the best of their soldiers and all their voyageurs came from that quarter. But their administrators do not seem to have comprehended the first principles of colonization. There was but one predominant feeling—jealousy of the Spanish and English, on a vast continent of wilderness, wide enough for all the nations of Europe to colonize. Instead of concentrating their physical force at one or a few prominent points, they divided into insignificant garrisons, stationed at posts five hundred and fifteen hundred miles apart, the inter-communication being carried on by couriers in pirogues! They frittered away their time in frivolous negotiations with the Indians, and exhausted their resources in abortive and inglorious expeditions. With some of the richest land in the world in the immediate vicinity of Mobile, with tracts of productive soil on every bayou that empties into the Sound, from Mobile to Pearl river—and the soil on the sea-board itself capable of generous production—they were, while they resided there, frequently on the point of starvation.

In 1722, the troops stationed at Mobile and Biloxi, were temporarily dispersed among the Indians, to live on their scanty crops of corn and beans. A humiliating confession for a civilized people, the subjects of Louis, the Magnificent! The delusion of mining contributed to this impoverishment. A Director-General was appointed, and more than five hundred miners and assayers were employed at remote posts, not one of whom earned his rations.

The civil officers of the colony, from the beginning to the close of the French regime, were divided into cliques, and accused each other of peculation and fraud. And even the military, in violation of every rule of subordination, took an active part in these disgusting intrigues.

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The settlement on the sea-board was thus practically a failure. After the transfer of headquarters to New Orleans, with the exception of feeble posts at Biloxi, Mobile and Tombigbee, the country was abandoned except by a few Canadian hunters, who had intermarried with the Indians. New Orleans, notwithstanding every ship from France brought new immigrants, notwithstanding the addition to her population by colonies of Germans and Acadians, progressed slowly, and was alternately frightened by negro insurrections and by a few marauding Choctaws.

Father Charlevoix, who was at New Orleans in 1722, seems to have properly appreciated the misgovernment of Louisiana. "The authorities," he says, "are at present engaged in seeking, to the west of the Mississippi, a place fit to make a settlement which may bring us nearer to Mexico, and they think they have found it a hundred leagues from the mouth of the river, in the Bay of St. Bernard, where La Salle landed when he missed the Mississippi. There is something much more pressing and better to be done than this. I know that commerce is the soul of colonies, and that these are of no use to a country like France but for this end, and to hinder our neighbors from growing too powerful. But if they do not *begin by cultivating the lands*, commerce, after having enriched some few persons, will soon droop and the colony will fail. The neighborhood of the Spaniards may have its use, but let us leave it to them to approach us as much as they will. We are not in a condition, and *we have no need to extend ourselves farther.*" These words of wisdom came from a traveling Jesuit, but they were never comprehended, either by the ministry at home or by the colonial authorities. At the very moment of the cession to Spain, Abadie, the last of the French governors, writing to the minister, says: "If the inhabitants of Louisiana had turned their attention to anything else beyond jobbing on the king's paper and merchandise, they would have found great resources in the fertility of the land and the mildness of the climate. The facility offered by the country to live on its natural productions, has created habits of laziness. The immoderate use of taffia (a poor rum) has stupified the population. Three-fourths, at least, of the inhabitants are in a state of insolvency. The colony is in a state of destitution; it is a chaos of iniquities; and to re-establish order, extreme measures must be resorted to, and officers, *appointed from France*, must be sent to my assistance."

No wonder that the king was willing to make a free gift of Louisiana. It had proved, says Gayarre, a dead weight in the hands of the great merchant Crozat, who had buried many millions in her wilderness. The India company lost over twenty millions. And then the king sunk, perhaps, fifty millions of livres in the same enterprise. Charlevoix attributes all these losses, and the condition of the colony, "to the negligence or incapacity of those who had the care of settling it."

In the judgment of the French, the sea-board of Mississippi was classed as a mere sand bank, and the sufferings accruing from their own mismanagement and want of industry, were ascribed to the poverty of the soil. On those same "sand banks" at Biloxi, and along the shore, and far in the interior, where the French starved and had to be billeted on the poor Indians for subsistence, luxuriant gardens and farms may now be seen, where flowers, fruit, vegetables, cereals, cotton, sugar-cane and tobacco flourish under a more thrifty people.

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CHAPTER XII.

THE red cross of St. George, that had "braved the battle and the breeze" for a thousand years, had now been planted on the heights of Abraham, at the posts of the Illinois and on the savannas of Florida. All the vast dominions acquired for France by Champlain, La Salle, Frontenac, Bienville and Vaudreuil passed, after the fall of Montcalm, into the hands of Great Britian. Under the treaty of 1763 she now took possession of Florida, and, with characteristic energy, prepared to develop its great agricultural and commercial capabilities. It was divided into two provinces.

1763. By an order in council West Florida was declared to be bounded to the southward by the gulf of Mexico (including all islands within six leagues of the coast, from the river Apalachicola to lake Pontchartrain.) To the westward by said lake, lake Maurepas and the river Mississippi. To the northward by a line drawn due east from the Mississippi river, along the 31° north latitude, to the river Apalachicola. To the eastward by said river. Martin, Monette and other historians say that soon after these limits were proclaimed, the British government, being informed that important settlements on the east side of the Mississippi would be excluded, issued a second order extending the northern boundary as follows: A line to begin at the mouth of the Yazoo, and run due east to the Chattahoochie, thence to the mouth of Apalachicola river: thence westward along the gulf of Mexico, through lakes Borgne, Pontchartrain and Maurepas up the river Amite and Iberville to the Mississippi, and thence along the middle of said river to the mouth of the Yazoo.*

*Who were the settlers on the east side of the river between the 31° north latitude and the Yazoo in 1763, that induced Great Britain to extend the northern boundary of West Florida? We have no account of settlers at Natchez after the massacre. The French on the Yazoo had all been murdered. At every settlement within those limits the inhabitants had been killed or had fled, and we have no evidence of their return. Emigration from the Atlantic colonies had not commenced. We know when the Americans first came, who they were and where they settled. But the settlements that induced the extension of the line, where were these? Who were the settlers? Whence did they come? The report made, which induced the order for extension, most probably was that the district left out had been occupied and cultivated and would form an important settlement.

There is no evidence that Fort Rosalie was occupied as a French post after Perier's expedition against the Natchez in 1732, until Vaudreuil's time. He posted a small garrison there, but reports no inhabitants. We know that after the treaty of

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But it appears from late authorities that there was only a commission issued in council authorizing the governor of West Florida to make this extension, and no proof has been found that the order was ever executed. (See 12 Wheaton, 527.)

To understand how these conflicting boundaries and jurisdictions, so long the source of controversy and litigation, originated, it is proper to recapitulate in detail, the several grants and charters, running as far back as the reign of Charles I, of England.

A contest between England and Spain, respecting the boundaries of their territories, in this part of America, commenced with the earliest settlements or colonies which the English attempted in Carolina, and the Spaniards in Florida. At that period England claimed as far south as the 29° of north latitude. Charles I, in the fifth year of his reign, granted to Sir Robert Heath, Carolina and Florida, extending from the river Matheo in the 30° to the river Passa Mayena, in the 36° of north latitude.

In 1662 Charles II granted the same country with some small difference of boundary, that is fixing its southern boundary as within one and thirty degrees of north latitude, to Lord Clarendon and others, (called the Lords Proprietors,) and established it as a province by the name of Carolina; and a subsequent charter by the same prince in 1663, confirming the last mentioned grant, extended it southward to the 29° of north latitude inclusive.

In 1670, by the seventh article of the treaty of peace then concluded between Great Britain and Spain, it was declared, that the King of Great Britain should remain in possession of what he then possessed in the West Indies and America. It is understood, however, that the boundary between Florida and Carolina continued to be a subject of contest and a disputed jurisdiction between those powers.

The original English province of Carolina comprehended the present state of Georgia, the Floridas and Louisiana, and the entire province was long claimed by one Coxe, an Englishman, under a grant from the crown. In 1722, his son, Daniel Coxe, published an elaborate description of the country, and, among other evidences of his father's title, appears a report dated Whitehall, December 21, 1699, signed by seven members of the Privy Council, and the law officers of the crown, in which they concede that Coxe is the legal proprietor. In that same year he dispatched Captain Barr with an armed vessel to take possession of the country and establish a colony on the Mississippi, and we have related how this enterprise failed by a strategem of Bienville, and no further attempt was made to colonize under Coxe's claim.

In 1726, seven of the Lords Proprietors of Carolina, (Lord Carte-

1763, M. de Ville, commandant at Mobile, surrendered the fort there to Maj. Robert Farmer of the British army. Captain Chabert, commandant of fort Tombecbee, surrendered it to Capt. Thomas Ford. Chevalier Lanneau surrendered fort Toulouse; but there is no record of fort Rosalie, and the inference is that it and the country around had long been deserted. If this district, or any portion of it, was occupied by any but Indians after the massacre at Natchez and Yazoo, we have no means of knowing. If occupied, we have no knowledge who they were, or whence they came. They could not have been sufficiently numerous for self-protection against the savages on all sides, without leaving some record. And a few scattered families would have been massacred. Besides, no claim for settlement rights or grants was ever made by these reputed settlers to either the British or Spanish authorities.

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ret retaining his share,) relinquished and surrendered to George II, then king of Great Britain, seven-eighth parts of the proprietary, and their rights under the charters aforesaid, and this surrender was accepted by act of Parliament. About this time Carolina was divided into South and North Carolina; and after the surrender a part of the latter province was assigned to Lord Carteret, for his share in the original proprietary.

In 1732, George II granted and established within the boundary of South Carolina, the colony of Georgia, bounding it from the northern branch of a river called the Savannah, all along the sea coast, to the southward unto the most northern branch of a certain other river called the Altamaha, and westward from the heads of the said rivers respectively, in direct lines to the south seas. South Carolina, after the establishment of the province of Georgia, continued to claim and exercise jurisdiction over the territory lying to the southward of the Altamaha, and in 1758, particularly, the governor of South Carolina encouraged a settlement which had been commenced by one Grey and his adherents, and granted them patents of land, in that territory.

Subsequently, the trustees for establishing the colony of Georgia surrendered their charter to George II, and in 1754 John Reynolds was appointed governor of Georgia, then constituted into a royal province by the same boundaries which had been given to the colony in the original charter.

In 1763, by the treaty of peace concluded between Great Britain and Spain, his Catholic Majesty ceded and guaranteed in full right to his Britanic Majesty, Florida with fort Augustine, and the bay of Pensacola, as well as all that Spain possessed on the continent of North America to the east or south-east of the river Mississippi. In the same year the King of Great Britain, then possessing entirely the right and control of this part of America, established by his proclamation the provinces of East and West Florida. The northern boundary of the former was declared to be, a line drawn from the junction of the Chatahouchee and Flint rivers to the source of St. Mary's river, and by the course of that river to the Atlantic ocean. The northern boundary of *West Florida* was declared to be a line drawn due east from that part of the river Mississippi, which lies in 31° of north latitude to the river Chatahouchee. By the same proclamation all the lands lying between the rivers Atlamaha and St Mary's, were annexed to Georgia.

By letters patent, dated in the fourth year of George III, James Wright, who is recited to have been appointed governor of Georgia in the first year of George III, was again constituted governor of that province, of which the southern boundary was described to be, by the most southern stream of the river St. Mary to the head thereof, and thence westward as far as our territories extend by the north boundary of East and West Florida.

In March, 1764, a representation was made by the board of trade to the King of Great Britain that, upon the information of the governor of West Florida, the northern boundary of that province as lately established, had been found, by actual surveys, to exclude some considerable settlements on the Mississippi, and the town of Mobile itself; and therefore it was recommended and proposed that an instrument might pass under the great seal, in like manner as was

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directed in the case of the extension of the south boundary of Georgia, declaring the province of West Florida to be bounded to the north by a line drawn from the mouth of the river Yazous, where it unites with the Mississippi, due east to the river Apalachicola.

It appears, that by letters patent dated 21st November, fourth year of King George III, George Johnstone, Esq., was appointed governor of West Florida, described to be bounded on the north by a line drawn due east from that part of the river Mississippi which lies in thirty-one degrees of north latitude, to the river Apalachicola; and that by other letters patent dated 6th June, in the same year, so much of the last mentioned commission to Governor Johnstone as related to the bounds and limits of the said province was revoked, and he was appointed governor of West Florida, bounded to the northward by a line drawn from the mouth of the river Yazous, where it unites with the Mississippi, due east to the river Apalachicola.

In 1765 an act was passed by the Legislature of Georgia, confirming, on certain conditions, the grants which had been made by South Carolina to Grey and others, of certain lands lying south of the Altamaha.

It appears, also, that by letters patent dated July, 1767, John Elliot was appointed governor of West Florida, comprehended within the limits and bounds which had been established by the commission granted to Governor Johnstone June, 1764; and that the commission and instructions, which were issued to Peter Chester, Esq., on the 2d of March, 1770, constituting him governor of West Florida, gave the same extent to his authority as had been given to Governor Elliot.

In 1777, the Natchez district, so called, described to be on the Mississippi, and to extend from Loftus Cliffs up the river to the mouth of the Yazous, being one hundred and ten miles, was purchased by the British Superintendent of Indian Affairs from the Choctaws.

In May, 1731, the province of West Florida was conquered by Spain. It appears that from June, 1764, until this conquest, when this province was surrendered by Governor Chester, patents and locations of lands within the Natchez district, were granted and made by the authority and under the protection of the British governor of West Florida.

In November, 1782, by the provisional articles of peace between the United States and his Britannic Majesty, the southern boundary of the United States is determined to be a line to be drawn from the Mississippi due east in the northernmost part of the thirty-first degree of north latitude to the Chatahouchee, thence to its junction with the Flint river, and thence to the head of St. Mary's river, and by that river to the ocean, thereby adopting and coinciding with the northern boundary of East and West Florida, as established by the proclamation of the King of Great Britain in 1763, and his commission to Governor Wright, as before mentioned.

In February, 1783, the State of Georgia, by an Act entitled "An Act for opening the land office, and for other purposes," declared the southern boundary of that State to be a line drawn from the Mississippi, in the latitude of thirty-one degrees, in a due east course to the river Chatahouchee; and in other respects, according to the southern boundary of the United States, as settled by the provisional treaty before mentioned.

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The definitive treaty between the United States and Great Britain, concluded on the 3d September, 1783, confirmed the same southern boundary to the United States. The treaty of peace concluded on the same day, between Great Britain and Spain, declared an *entire cession, in full right*, of East and West Florida, to Spain; but without expressly defining the boundaries of those provinces.

In February, 1785, the legislature of Georgia established into a county, by the name of Bourbon, a district declared to be within that State, and described within the following lines, viz: Beginning at the mouth of the river Yazous, where it empties itself into the river Mississippi; thence by a line to be drawn along the middle of said river Mississippi, until it shall intersect the northernmost part of the 31° of north latitude; south by a line to be drawn due east from the termination of the line last mentioned, in the latitude of 31° north of the equator, as far as the lands reach which, in that district, have been, at any time, relinquished by the Indians; then along the line of such relinquishments to the said river Yazous, and thence down the said river to the beginning. By the same act, the said legislature, considering it as not then proper to grant the lands within the said district, declared that whenever that measure should be determined on by any future legislature, there should be a right of preference reserved to occupants of the said lands, who shall be citizens of the United States or the subjects of any power friendly to the United States during the war; provided, such persons do actually live on, and cultivate such lands, or a part thereof, and shall apply and present themselves on equal terms with other petitioners. It is also thereby enacted, that when it shall be determined to grant the said lands, the price thereof shall not exceed one quarter of a dollar per acre. By the same act, certain persons therein named were appointed justices of the peace for said county, and provision was made for qualifying them upon such appointments; and the same justices, and any two of them, were authorized to administer to any inhabitant in said district, not proscribed by that or some other of the United States of America, the oath of allegiance to the State of Georgia; and persons who should be qualified by such oaths, were declared to be entitled to vote for, and serve as members of assembly, or militia officers, in and for said state of Georgia.*

*This act was passed chiefly on the representations of Col. Thomas Green. He and Cato West were Virginians, who lived several years in Georgia, and then with the Harrisons and other families, set out from Georgia to the Holston; there built boats and went down the Tennessee river, intending to join Gen. Geo. Rogers Clarke. But not being able to ascend the Ohio, they concluded to descend to the Natchez country. Here they obtained large grants of land in what is now Jefferson county. Col. Green soon got into a dispute with the Spanish governor, was arrested and sent to prison in New Orleans. His devoted wife followed him and there died. He was then released. Being a man of indomitable resolution, he made the overland journey to Georgia, and was mainly instrumental in getting the Legislature to pass the Act asserting the jurisdiction of Georgia over the Natchez district and organizing it into a county named Bourbon, 1785. He left a large family. His son, Thomas M. Green, was our second delegate to Congress. Their connections and alliances, at one period, largely controlled the Territory.

The Justices appointed by the Bourbon Act were Thomas Green, Cato West, Tacitus Gilliard, Sutton Banks, Nicholas Long, Wm. Davenport, Nathaniel Christmas, Wm. McIntosh, Benj. Farrar, Thomas M. Green, Wm. Anderson, John Ellis and Adam Bingamin. Abner Green, Register of Probates. All men who, at any stage of our history, would reflect honor on the highest station.

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In March, 1785, a petition in behalf of South Carolina was preferred to the Congress of the United States, setting forth the difference and dispute which had arisen, and then subsided, between that State and the State of Georgia, concerning their respective boundaries. By that petition the State of South Carolina claimed, as within their charters, all the lands lying between a line to be drawn from the head of the river St. Mary, the head of Altamaha, the Mississippi and Florida; and because the State of Georgia contended for the same tract of country as a part of that State, it was prayed that Congress would proceed to have such dispute determined agreeable to the articles of confederation. Georgia was accordingly notified, appeared by her agents, and commissioners were appointed.

In 1787, this dispute of boundaries between Georgia and South Carolina was amicably concluded by their respective commissioners. By that convention the northern boundary of Georgia was distinctly ascertained, and it was agreed that the State of South Carolina should not thereafter claim any lands to the eastward, southward, southeastward, or west of the boundary then established; and South Carolina thereby relinquished and ceded to Georgia "all the right, title and claim which the said State of South Carolina had to the government, sovereignty and jurisdiction in and over the same; and also the right of pre-emption of the soil from the Indians, and all other the estate, property and claim, which the State of South Carolina had in, or to the said land."

In February, 1788, the legislature of the State of Georgia authorized the delegates of that State in Congress to cede to the United States all right, title and claim, as well of soil as of jurisdiction, which that State had to the territory, or tract of country within the limits of Georgia, comprehended within these boundaries, viz: beginning at the middle of the river Chatahouchee or Apalachicola, where it is intersected by the 31° of north latitude, and from thence due north, one hundred and forty British statute miles, thence due west to the middle of the river Mississippi, thence down the middle of that river to where it intersects the 31° of north latitude, and thence along said degree to the beginning, upon certain conditions recited in said act, to be performed on the part of the United States. By the same act the State of Georgia repealed the act before mentioned, establishing the county of Bourbon, within that territory.

A cession in the terms of the said act of the State of Georgia was accordingly proposed to the Congress, and was rejected by their resolution of the 15th July, 1788, the terms of such cession being declared inadmissible. Congress, at the same time, declared "that in case the said State shall authorize her delegates in Congress to make a cession of all her territorial claims to lands west of the river Apalachicola, or west of a meridian line running through or near the point where that river intersects the 31° of north latitude, and shall omit the last proviso in the said act, and shall so far vary the proviso respecting the sum of 171,428 dollars and 45 cents, expended in quieting and resisting the Indians, as that the said State shall have credit in the specie requisitions of Congress to the amount of her specie quotas in the past requisitions, and for the residue in her account with the United States for moneys loaned, Congress will accept the cession."

In a representation made to the court of Spain, on the subject of

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boundary, by the commissioners for the United States, on the 7th of December, 1793, it is stated that the southern boundary of Georgia was fixed by the proclamation of the King of Great Britain in 1763, at a time when no other power had a claim to any part of the country through which it run, to begin in the middle of the Mississippi river, in latitude 31 north, and running eastwardly to the Apelachicola. A like representation was made in the course of the same negotiation, in August, 1795; and by the treaty which was concluded in that year, between the United States and Spain, the southern boundary of the United States was finally agreed to be as it is described in the definitive treaty before mentioned with Great Britain. It appears that, after the acquisition of West Florida by Spain, the Spanish governor of that Province granted patents and permitted locations of lands within what was afterwards known as the Mississippi Territory, until, and even subsequent to, the relinquishment of it by Spain, in its treaty with the United States.

The Legislature of the State of Georgia, by an act passed December 22d, 1789, in which it is recited that divers persons from the State of Virginia, North Carolina and South Carolina, had made application for the purchase of certain tracts, and parcels of land, lying and bordering on the Tennessee, Tom or Don-Bigby, Yazoo and Mississippi rivers within the State of Georgia, and had offered to settle the same, and that a part of such territory had been already settled on behalf of some of the applicants under and by virtue of the act before mentioned for laying out and establishing the county of Bourbon, granted and engaged to reserve as a pre-emption for certain companies which are named in the said act, distinct tracts of the said territory for the term of two years thereafter and to be conveyed to them respectively in case certain payments of money, as a consideration of such grants, should be made within that term.

The settlement of the right to this vast territory was attended with many difficulties. It was occupied by the Creeks, Cherokees, Choctaws and Chickasaws, numerous and warlike tribes, who claimed it as theirs by conquest and inheritance.

The United States claimed the British title, and Spain claimed, as parcel of West Florida, all south of the east line from the mouth of Yazoo river, and, as part of Louisiana, a large district east of the Mississippi, and south of the 31° north latitude, which had not yet been more strictly defined.

To strengthen her title, in June, 1784, Spain made a treaty, at Pensacola, with the Creeks, Choctaws and Chickasaws, by which they conceded the Spanish title, and engaged to support it. And subsequently the famous Alexander McGillervay, head chief of the Creeks, and special agent of the Seminoles, Talapoosas, Alabamas, Cowetas, and other towns of the Muscogee confederacy, acknowledged himself, and those he represented, subjects of the Spanish crown.

Georgia, in the meantime, asserted her undeniable right to the territory in question, and made several treaties with the Creeks and Cherokees.

The United States entered into treaties with the same tribes, more or less conflicting with the treaties made by the State.

In 1795, the Legislature of Georgia, annoyed by federal interference, and to assert her claim and draw population to her frontiers, sold

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to four companies the greater part of the territory in dispute between the State and the United States.

To the Georgia-Mississippi Company it conveyed most of the territory west of the Tombigbee river, comprehended in the second article of the provisional treaty of 1782, ceded to the United States as part of West Florida. This tract was about two hundred miles long and eighty-two in breadth, being about one-fourth of the present State of Mississippi.

To the Georgia Company it conveyed another portion of the ceded part of Florida and a large tract above the limits of that province, being a parallelogram three hundred miles long and one hundred wide, besides a triangle fifty miles in length at its base, and one hundred miles from the base to the opposite angle.

To the Tennessee Company and to the Upper Mississippi Company were ceded two tracts, one about one hundred and fifty miles long and fifty miles wide, the other about one hundred and twenty-five miles long and twenty-five in width—being about two-thirds of all the territory claimed by Georgia under the provincial charter of 1732, and under the proclamations of the king of Great Britain, after the treaty of Paris, February 10, 1763, which annexed to Georgia all the territory, thus acquired, between Florida and 35° north latitude—comprising perhaps 35,000,000 acres.

The purchasers began at once the work of colonization, and disposed of numerous parcels, and would have sold many more but for the opposition and interference of the United States.

This famous act, known in history as the Yazoo Fraud, was generally condemned in the United States, but no where as strongly as in Georgia itself, whether upon the ground of bribery or merely for inadequate consideration, has not been determined. The ensuing Legislature, without any division, declared the contract void. The legality of the grant, and of the repealing act, was tested before the Supreme Court of the United States in the celebrated case of *Fletcher vs. Peck*, 6 *Cranch*, 87. The court, however, did not go deeply into the title of Georgia, but limited itself chiefly to the question as to the right of the legislature to annul the contract, so as to deprive innocent purchasers of their vested interests. The decision was in their favor.

Both South Carolina and Georgia, it has been shown, had claims to the domain now constituting the States of Alabama and Mississippi. In 1787 the former, with a generosity which has not been reciprocated, ceded her claim without further consideration than "her desire to adopt every measure to promote the honor and dignity of the United States and strengthen the federal union"—noble words that should be always remembered.

Georgia, in 1785, had organized the vast territory—much of it then occupied by the Spaniards—into a single county, appointed its civil officers and was meditating to hold it by military power. In 1802, in a spirit of deference to federal authority, she repealed this act, and ceded the whole district, outside her present limits, to the United States on certain conditions that have not been honestly complied with:

1. The United States shall pay to Georgia $1,250,000 out of the first net proceeds of the land ceded, on account of expenses it had incurred in the disputed territory. 2. That all persons settled before

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October 27, 1795, within that territory, under British or Spanish grants, or claiming under an act of the Georgia legislature, passed in 1785, laying it out into a county styled Bourbon, shall be confirmed in their possessions. 3. That the lands ceded shall be a common fund, excepting 5,000,000 acres, which the United States, before twelve months had elapsed after the assent of Georgia to the agreement, might appropriate to satisfy the Yazoo claimants. 4. That the United States shall, at their own expense, extinguish for the use of Georgia, the Indian title to all the lands within the State, as early as the same can be obtained on reasonable terms. 5. That the terrritory ceded shall be admitted into the Union as a State as soon as expedient, and that it shall be governed as the North-western territory, with the exception that slavery shall not be prohibited.

Upon these terms the claim of Georgia was ceded to the United States. On its part it ceded to Georgia all claims to the territory east of the boundary line described in the above agreement, not lying within any other State, and $5,000,000 were subsequently paid to the Yazoo purchasers upon their relinquishment of their claims both to the land, and to the money paid by them into the treasury of Georgia.

After this agreement the State of Georgia had good right, as her archives will prove, to complain of the exactions and intermeddling, and bad faith of the federal authorities. She had expressly stipulated for the extinction of the title of the Indians, and their removal from her limits, but the United States disregarded the agreement, and by its accredited agents actually counteracted the exertions of the State authorities to get rid of the nuisance. More than once she was menaced with military coercion. In 1793, by a decision of the Supreme Court of the United States, the sovereignty of the State had been ignored. It was held, by the court, that "a State" was a mere "contrivance," which could be dragged before that imperial tribunal, on the demand of any complainant, alien or otherwise. *Chisholm's Ex'ors vs. State of Georgia*, 2 *Dallas*, 419.

In 1832, by a decision of the same court, with only two dissentients, the Cherokees, within her chartered limits, hostile to her people and constantly disturbing her peace, were adjudged to be "a nation," and the whole power of the federal government was arrayed against a State which, with a sublime patriotism, like Virginia and Carolina, had relinquished her immense territory, embracing the richest agricultural country on the globe, for the sake of harmony and union!

The southern boundary of the United States, it should be remembered, by the treaty of 1783 with Great Britain, was to start from the Mississippi river at the 31° north latitude. But by her treaty with Spain of the same date, Great Britain ceded to her West Florida, in its integrity as she had promised it at the time of the cession. This, as we have seen, would carry the boundary of West Florida to the mouth of the Yazoo river, including the whole Natchez district. Spain was then in possession of the disputed territory, under the conquest of Galvez, and she refused to surrender it to the United States. She erected forts at Nogales, (Walnut Hills, now Vicksburg,) and New Madrid, and strengthened the garrisons of Manchac, Baton Rouge and Natchez.

Both powers had equitable titles, and it is difficult to determine which was the strongest. But there is no question that the title of

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Georgia, and of those claiming under her, was better than either.

While she was still asserting this claim, and Spain and the United States in a diplomatic wrangle about it, the former being in possession, by an act of Congress, approved April 7th, 1798, the Mississippi Territory was created with the following boundaries: On the west by the Mississippi river; on the north by a line to be drawn due east from the mouth of Yazoo river to the Chatahoochie; on the east by that river; on the south by the 31° north latitude. This embraced all that is now within the limits of Mississippi and Alabama. This act was a *casus belli* for Spain, and Georgia had just grounds for resentment. Both were powerless. The Mississippi river settled the matter just as it settled the late civil war. The warlike people of the west—trained to arms in the revolutionary war, and in their conflicts with the Indians—had discovered the mighty commercial resources of their country, and resisting the overtures of Spain and their sympathies with Georgia, they determined that the Mississippi river, their only highway to the markets of the world, should be owned and controlled, in its whole length and breadth, exclusively by their own national government. They disregarded the equities of both Spain and Georgia, responding only to the suggestions of expediency and necessity. Had the federal authorities faltered one moment in their policy, so persistently and successfully pursued, the western people, with the American settlers in the disputed territory, would, unquestionably, have armed *en masse*, and driven the Spaniards into the Gulf of Mexico.

The conflicting boundaries, and the conflicting grants of land made by the British and Spanish authorities of West Florida, one grant very often saddling the other, have been often and elaborately discussed by the State and Federal courts, and the Spanish grants have generally prevailed on the ground that the British grants were made subsequent to the Declaration of Independence which, followed by successful war, extinguished the British title to the public domain. See the case of Harwood vs. Gaillard, 12 Wheaton, 523; Henderson vs. Poindexter, Lessee, 12 Wheaton, 530; Nevitt vs. Beaumont, 6 Howard, Miss. Rep., 237; Johnston vs. McIntosh, 8 Wheaton, 579; Fletcher vs. Peck, 6 Cranch, 142; Danforth vs. Weir, 9 Wheat, 676; Hickey vs. Stewart, 3 Howard S. Court Rep., 756. And particularly the case of Montgomery, et al, vs. Ives, et al, at the November term of the High Court of Errors and Appeals of Mississippi, 1849, and the very learned and exhaustive opinion of the Court, delivered by Mr. Justice Clayton.

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CHAPTER XIII.

IT IS important to bear these conflicting boundaries in mind, as they occasioned much diplomacy, discontent and litigation. By the provisional treaty of November 20th, 1782, between Great Britain and the United States, the southern boundary of the latter was fixed at the 31° north latitude. Great Britain, by her treaty of the same date, with Spain, ceded to that power the province of West Florida, which, under the British government, as we have seen, extended as far north as the mouth of the Yazoo. Under this conflicting grant, Spain took possession of the Natchez district, and held it until 1798, when she evacuated it, and the United States entered upon it; not, however, without a protest from the State of Georgia, which rightfully claimed the whole district under the original charter of 1732. It is well known that Oglethorpe's colony was established at Savannah, under the auspices of George II, specially to obtain a footing on, and west of, the Mississippi river. Georgia sent her commissioners, to assert her rights, to the Spanish authorities, and as has been shown, she organized it into a county and appointed civil officers.

The extension of the boundary placed the northern line of British West Florida at 32° 28' north latitude. All of what are now Mississippi and Alabama south of that line, made a part of West Florida; all north of it belonged to the British province of Illinois, which included, likewise, the western portions of what are now Tennessee and Kentucky.*

1764. Capt. George Johnstone, a Scotchman, a distinguished naval officer, arrived at Pensacola, with the commission of Governor. He brought with him a British regiment of Highlanders, and numerous persons followed in his train to settle in the province. He appointed commandants, and sent garrisons to Fort Conde at Mobile which he called Fort Charlotte, after the Queen; to Manshac, which was called Fort Bute; and to Fort Rosalie at Natchez, called Fort Panmure, after two of the British ministers. He appointed civil magistrates, and organized a superior court at Pensacola, whose jurisdiction extended over the whole province, and where it administered justice

*This line, from the mouth of the Yazoo, traversed the present State of Mississippi and struck the Tombigbee below Demopolis; crossed the Alabama river near the junction of the Coosa and Talapoosa, and terminated on the west bank of the Chatahoochie, between Columbus and Fort Mitchell, in Georgia.

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under the common law of England, from its inauguration to the close of British rule in 1782. All cases, over a magistrate's usual jurisdiction, were tried before it. Persons charged with murder at Natchez, and other remote points, were sent to Pensacola for trial.

The Governor had liberal instructions in regard to public lands, and was authorized to make grants, without fee or reward, to every retired officer who had served in America against the French and Indians, and to any private soldiers, disbanded in America, who should apply. A field-officer was entitled to five thousand acres; a captain, three thousand; every subaltern or staff officer, two thousand; non-commissioned officers, three hundred; privates, one hundred acres.

This generous provision on the part of the crown was the nest-egg of our population. It attracted a class of enterprising and intelligent men who, after the peace of 1763, had been drifting about. Immigration rapidly set in, consisting, at first, of disbanded officers and soldiers. The troubles and dissensions between the colonies and the mother country were growing serious. Great diversity of opinion existed among the colonists, and especially in the Carolinas. Many persons loyal to the Crown, but unwilling to take part against the people among whom they lived, embracing, in numerous instances, their kindred and even their own households, sought refuge in West Florida from the distractions at home. It has been the custom to denounce these men as tories, and enemies of their country. Such censure would be proper when applied to men who drew the sword against their countrymen, and waged upon them a savage and relentless war. But the same sentence should not be pronounced on those whose sense of loyalty and of duty forbade them to fight against the king; but rather than stain their hands with kindred blood, renounced home, comfort, society and position for an asylum in the wilderness. The right of conscience and of opinion is sacred, and at this distance of time these men, once generally condemned, may be properly appreciated.*

*Three remarkable cases occur to me, to show that when the conflicts and collisions of the war were still fresh, and many of the actors still survived—there was much toleration in relation to the loyalists, even for those who had fought for the king.

1st. The case of Philip Barton Key. A native of Maryland, he entered the British army in 1778, and held a commission in a provincial or loyal regiment. He was at Pensacola when Gen. Campbell surrendered it to Galvez; was sent to Havanna, whence he was allowed to go to England on parole, but was not exchanged until the peace of 1783. When this took place his regiment was disbanded, and the officers retired on half pay. In 1785, he returned to Maryland. 1794, was elected to the Legislature and served for several years. He continued to draw his pension until 1805, when he formally resigned his rank and pay in the British army. In 1808, he was elected to Congress, and his seat was contested mainly on the ground of non-residence in the district, but the above facts were shown (and not denied) as an additional objection. The committee reported in his favor, and expressly added that the suggestion of his being, or having been, a pensioner or half-pay officer would not authorize them to alter their opinion. The report was sustained and Mr. Key became a distinguished member. He was the father of the Hon. Francis Key, author of the "Star Spangled Banner."

2d. Edward Tiffin came over as surgeon with Gen. Burgoyne, and was on duty at the time of the surrender. He remained in the country; went to Ohio; took an active part in the opposition to St. Clair and Sargent; was elected by the anti-administration or Jeffersonian party to the first Legislature; continued in service until 1802 when he was elected governor and served until 1808.

3d. Elihu Hall Bay, of South Carolina, followed the British authorities to Pensacola and held office under Gov. Chester during the revolutionary war. He re-

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Many of this class from Georgia and the Carolinas, and some from colonies farther north, followed the British flag to Pensacola, and thence made their way to the shores of lake Pontchartrain, to Manchac, Baton Rouge, Natchez, Bayou Pierre and Walnut Hills.

1764, Robert Farmer, under a commission from Governor Johnstone, took possession of Mobile. Farmer was a man of fortune, highly educated and a humorist. Aubry, the last of the French governors of Louisiana, in one of his dispatches, says:

The English commandant at Mobile is an an extraordinary man. As he knows that I speak English, he sometimes writes to me in verse. He speaks to me of Francis I, and Charles V. He compares Pontiac to Mithradates. He declares that he goes to bed with Montesquieu. When there occurs some petty difficulties between the inhabitants of my province and his, he quotes Magna Charter and Coke upon Littleton. It is said the British ministry sent him to Florida to get rid of him, because he was equally troublesome as a friend and as an opponent. He pays me extravagant compliments which I return to him. He is a man of parts, but a dangerous neighbor. He had barely set foot in Mobile before he demanded the return of the artillery, which our garrison brought away when they evacuated Fort Conde. He claimed the guns at Fort Tombeckbee, and at the posts in the Illinois, and insisted likewise that we are bound to defend the English from Indian incursions.

Very shortly after Governor Johnstone established himself at Pensacola, he dispatched Major Loftus, with three hundred and fifty men, to take possession of the Illinois posts. Under that clause of the late treaty which secured for the English the free navigation of the Mississippi, the detachment took the river route, and left New Orleans February 27th. The French governor had taken the precaution to admonish the Indians along the river to keep the peace, and placed his interpreter at the service of the British officer. Between New Orleans and Point Coupee they lost fifty men by desertion. At the Point they came near a collision with the French. A slave took refuge on one of the barges, where he was discovered by his master, who applied to the commandant of the French post for his arrest. Maj. Loftus would not allow the arrest, declaring, in advance of the great jurists of England, that the fugitive on his barge stood on British soil, under the protection of the flag! And he ordered his men to stand to their arms. The French commandant prudently desisted. Soon after the interpreter took his leave, but warned the Major to be on his guard against the savages. On the 19th March, as the boats approached Davion's bluff, (now Fort Adams,) they were fired on by some Indians in ambuscade, probably the Tunicas, the allies of the French, who resided in that vicinity. Half a dozen men were killed, and seven or eight wounded. The flotilla immediately fell back, the Major and his officers concluding that, under French in-

ceived a large grant of land in the Natchez district, and became owner of large bodies on the Homochitto and at the Walnut Hills by purchase.

After the war he returned to Carolina and was placed on the bench, a position he held many years.

Philip Livingston, of New York, was a loyalist in the king's employment at Pensacola, during the British occupation of West Florida.

A striking evidence of this burial of ancient animosities occurred recently in Connecticut, in celebrating the birth-day of Gen. Israel Putnam. On a well-remembered occasion he was pursued by a troop of New York tories and narrowly escaped capture by riding down a rocky precipice which they were afraid to attempt. At this celebration, Mr. Merritt, of Canada, son of the tory captain, was the special guest, and sat *vis a vis* with the great-grandson of the General. He was toasted and made a humorous and effective speech.

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stigation, all the Indians on the river were in arms, and to continue the voyage was impracticable. On his arrival in New Orleans, the irascible Englishman accused the French governor of treachery, and would accept no disclaimers. He carried his command to Mobile and Pensacola, and no farther attempt was made from that quarter to take possession of the posts of the Illinois; and the Pontiac war then raging, effectually barred all communication with British head-quarters in Canada. These remote posts and settlements which, as we have seen, had long maintained a constant intercourse with the French at Mobile, Biloxi and New Orleans, had often brought down timely supplies, and had sent strong detachments to aid them in the Chickasaw wars, were, after the retreat of Maj. Loftus, left in a state of isolation, governed by their former magistrates and customs, and it was some two years before the British authority was regularly installed.

1765. Governor Johnstone invited the Chickasaws and Choctaws to a general council in Mobile. The details of the trade to be carried on between them and the British traders were agreed upon, and regular prices fixed on merchandise and peltries. Another, and the main object of the governor in assembling the tribes, was to make the path safe for the immigrants, who were pouring into the province, and necessarily had to traverse the Indian territory. Many families came by way of the Ohio, the Holston and the Tennessee. They had to run the gauntlet of the Cherokees, who committed frequent murders.

While this tide of immigration was flowing into West Florida, spreading from Pensacola to the Tombigbee and the Mississippi, the British merchants carried on a brisk free trade on the Mississippi, very much to the annoyance of the Spaniards who had succeeded the French. Ships loaded in London with assorted cargoes suitable for the trade, were consigned to British agents at the British post of Manchac.* These vessels sailed by New Orleans, and slowly ascending the river gave the planters the opportunity of purchasing at prices far less than the current prices in New Orleans. A brisk trade likewise, in contravention of the laws and policy of Spain, was carried on in negroes. These were usually brought by British slave dealers directly from Africa to Jamaica, and thence shipped to Pensacola, whence they were trans-

*The Manchac, or Iberville, river was the dividing line between the English province of West Florida and the Island of New Orleans now in the hands of Spain. The English and Spanish each maintained military posts on their respective sides of the Manchac. The English post grew to be quite a village; English agents of London merchants lived there and carried on a brisk business in merchandise and negroes, with the Louisiana and Florida planters.

This route by the lakes, up the Amite to bayou Manchac, and up that bayou to the Mississippi, as we have seen, was first explored by Iberville. It became the main thoroughfare between the French settlements on the seaboard and the Illinois posts. The English used it, while they held West Florida, as the most direct line of communication between Pensacola and Natchez. Bartram, in 1777, thus describes the route:

"Ascending the Amite to the forks where the Iberville (bayou Manchac) comes in on the left hand, and proceeding briskly we soon came to the landing, where there are warehouses for depositing merchandise, this being the head of schooner navigation. From this point to Manchac, on the Mississippi, just above the outlet of the bayou is nine miles by land, the road straight and level, and passing through a grand forest. The buildings established by the English, particularly those of Swanson and Co., Indian traders, are spacious and commodious. Over Fort Bute floats the British flag, while just across the bayou, on the bank of the river, is a Spanish post. There is a foot bridge between the two fortresses."

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ported, by the lakes, to Manchac, and there exchanged with planters for indigo, tobacco, staves, peltries, etc., and a credit of one or two years, with a lien on the crops was usually given. Negroes rated according to the districts they came from. The Eboes, were considered savage and intractable, and could not be disposed of except at very low figures.

The French, as we have seen, introduced this traffic, and the British prosecuted it with great activity, as long as their flag floated over West Florida. The trade subsequently fell into the hands of the New England dealers, of whom the wealthy and aristocratic D'Wolf's, of Rhode Island, were most conspicuous.

1770. Governor Johnstone, who had shown himself energetic and capable, was, probably owing to political changes in England, recalled about this time.* His successor was the Hon. Montford Brown, who owned a large district of land at the cliffs, (now Port Hudson), and in 1777 was promoted to the government of the Bahamas. The first grant he made was for five thousands acres to Daniel Clarke, (uncle of the more notorious personage of the same name), an Irishman, who had commanded a Pennsylvania regiment in the royal service. This grant covered a part of the old Hubert-Colly concession on St Catherine, near Natchez.

1771. Hon. Peter Chester was appointed Governor, with Phillip Livingston, of New York, secretary. The records show that immigrants still poured into West Florida. Lands in the vicinity of Mobile, Manchac, Baton Rouge, Bayou Sara, Natchez, Bayou Pierre and Walnut Hills, were particularly in demand. In the Natchez district there was granted to the Earl of Eglinton 20,000 acres, on what is now known as Pine Ridge; Earl Harcourt, 10,000; Admiral Bentinck, 10,000; heirs of Thomas Conryn, 10,000; Elisha Hall Bay, 16,000; Admiral Rodney, 5,000; Sir Wm. Dalling, 5,000; Gov. Phillip Barbour, of Virginia, 5,000, near Grand Gulf; Admiral Onslow, 5,000; Col. Anthony Hutchins, several large tracts, including the White Apple village, the residence of the Natchez chief of that name.

As far back as 1768 the king had issued an order, or *mandamus*,

*Governor Johnstone did not lose his influence with his office. In 1776-7 he was in Parliament taking an active part in the American debates, and only siding with Ministers after the French alliance with the colonies. In reply to Lord Howe, who had sneeringly said "that he, *Admiral* Howe, would never apply to *Captain* Johnstone for instruction," the governor said:

"Although he was no more than Captain Johnstone, he would not give up his experience to Admiral Howe or any other admiral whatever; he had seen as much service as the noble lord, and had been in more battles. What he had offered relative to the affair between the fleets he submitted to the House as his opinion, an opinion not theoretically formed, but founded on professsonal knowledge. Nothing that had fallen from the noble lord had afforded him the least reason for altering his sentiments; and he so far differed from him, that instead of refusing to serve in this time of public exigency, he would take any command that should be offered him. Many gentlemen knew that at the commencement of the American war he would not have accepted of any employ against that country, because he thought the war unjust in its end, and oppressive in its principle and mode of carrying on. The case was now materially altered. This country had done everything which became her to convince America of her readiness to act with moderation and justice. France had perfidiously broken her treaties, and seduced America into an offensive league against Great Britain; in such a crisis it behooved every man who felt for the injured honour of his country to step forward. He for one was ready to exert his utmost abilities in any capacity that government might think proper to employ him. So far from attempting to prescribe the conditions on which he would serve, he would accept even the command of a bum-boat.

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to the governor of West Florida to have surveyed and allotted to Amos Ogden, of New Jersey, a retired naval officer, 25,000 acres in one single tract. In 1772, Captain Ogden sold 19,000 acres of his claim, to Richard and Samuel Swayze, of New Jersey, at the rate of twenty cents per acre. They made a reconnoisance of the district, and located the claim on the Homochitto river, in the present county of Adams. In the fall of the same year the two enterprising brothers, with their families and a number of their kindred and friends, sailed from Perth Amboy for Pensacola; thence, by the usual lake route, to Manchac; up the Mississippi, and then up the Homochitto to what is now known as Kingston. Samuel Swayze had been for a number of years a Congregational minister, and most of the adults who came with him were communicants. The faithful shepherd, as soon as he had provided a shelter for his wife and children, and planted corn for their bread, gathered up his fold and organized his society, undoubtedly the first Protestant pastor and congregation in the Natchez district. Under many drawbacks, growing out of Indian depredations, and discouragements after the county passed into Spanish hands, this pious teacher and his kindred met together on the Sabbath, often in the swamp and cane-brakes, for divine service. In 1780 the Indians became so troublesome and exacting that most of the settlers abandoned their homes and moved to the vicinity of Natchez. The venerable pastor settled on the east bank of St Catharine, on what was long afterwards known as "Swayze's old field," on the left of the road from Washington to Natchez, and there he died in 1784. The Jersey settlement, begun in 1772, by men of intelligence, energy and high moral character, became prosperous and rich; densely populated; highly cultivated; distinguished for its churches and schools; its hospitality and refinement. And, in the course of years, it sent its thrifty colonies into many counties, carrying with them the characteristics of the parent hive. The Farrars, Kings, Corys, Montgomerys, Pipes, Foules, Colemans, Jones, Callenders, Fowlers, Luses, Griffings, Hopkins, Nobles, Ashfords, and many others in Mississippi and Louisiana, are descended, in one branch or the other, from the brothers Swayze.

The only other grant direct from the crown was issued February 2, 1775, in favor of Thaddeus Lyman, for himself and brothers, in consideration of the services of his father, Gen. Phineas Lyman, then recently deceased. This grant was for 20,000 acres and was located on the Bayou Pierre and Big Black in the present county of Claiborne.

Gen. Phineas Lyman was an eminent lawyer and statesman of Connecticut. In 1755 he was commissioned major-general of the royal provincial troops, and distinguished himself in the campaign against the French in Canada. At the battle of Lake George the command devolved on him soon after it commenced. His conduct recommended him to both the British and colonial authorities. In 1762, he conducted four thousand provincials to the West Indies to co-operate with the Earl of Albemarle at the seige of Havana, and upon its capitulation was appointed military governor. At the close of the war, wrecked in fortune and finding most of his comrades in the same position, they formed an association, under the name of "Military Adventurers," to establish a colony in the Natchez district, which by the treaty of 1763 had passed into the hands of Great Britain, and com-

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prised a part of the British province of West Florida. General Lyman repaired to London to solicit a grant, but soon after his arrival a change of ministry occurred and the friends he relied on were divested of power. Unaccustomed to importunity, perhaps deficient in audacity and tact, he found himself overlooked in the whirlwind of parties. He lingered through several years of disappointment and neglect, and gradually sunk into despondency and inaction. His faithful and energetic wife, having ascertained his condition, dispatched her eldest son, Capt. Thaddeus Lyman, to bring his father home. He was a man of address and talent, and with the aid of John Miller, an eminent merchant of London,* he obtained a royal order to the governor of West Florida for 20,000 acres.† In December, 1773, with a large party, they embarked at Stonington for New Orleans.

Captain Phelps, in his journal, gives a list of the party, many of whom have descendants now in Mississippi and Louisiana. General Lyman, Thaddeus Lyman, with eight slaves; Sereno Dwight, Jonathan Dwight, Harry Dwight, and three slaves; Moses and Isaac Sheldon, Roger Harmon, —— Hanks, Seth Miller, Elisha and Josiah Flowers, Moses Drake, R. Winchell, Benjamin Barber, —— Wolcott, D. and R. Magguet, Thomas Comstock, —— Weed, Capt. Silas Crane, Robert Patrick, Ashbel Bowen, John Newcombe, James Dean, Abram Knapp, Gibs. and Nath. Hull, James Stoddart, Thaddeus Bradley, Ephraim Case, Hezekiah Rew, John Fisk, Elisha Hale, Timothy and David Hotchkiss, John Hyde, Wm. Silkrag, Jonathan Lyon, Wm. Davis, Hugh White, Thomas and James Lyman, Captain Elsworth, Ira Whitman, —— Sage, Major Early, James Harmon, Elnathan Smith, Wm. Hurlburt, Elijah Leonard, Benjamin Day, Joseph Leonard, John Felt, Rev. Jedediah Smith, Daniel Lewis, Sr., and a number of others not recollected.‡ Some of these had with them their wives and children.

*Col. Anthony Hutchins was the agent of Mr. Miller at Natchez.

†General Lyman died before the patent, in pursuance of the royal mandamus, could be issued. In 1775 it was issued in the name of Thaddeus Lyman for the use of himself and the two other sons and two daughters of General Lyman.

‡The Lewis family came originally from Wales. Daniel Lewis, Sr., was born in Connecticut, but moved to Sheffield, Mass., in 1746, where in 1771 his eldest son, Daniel Lewis, Jr., married a Miss Fairchild, of a prominent family of that place. Their first child was Archibald Lewis, so well known in after years, in this territory. In 1773–4, Daniel Lewis, Sr., his son with his wife and boy, and others of the family, accompanied the Lyman's to Natchez, and settled on the Lyman mandamus, on the Big Black. In the following autumn Daniel Lewis, Sr., and wife died. Daniel Lewis, Jr., with his wife, brothers and sisters then went to Manchac, a flourishing settlement, but soon after when the notorious jay-hawker, Willing, was raiding that neighborhood, he moved to Plaquemines, and was soon afterward drowned while descending the river to New Orleans. In 1799, his widow married Richard Carpenter, Esq., and after his death married Gen. George Matthews, of Georgia. She died in 1803, near Washington, Miss. Seth Lewis, one of the sons of Daniel, Sr., was born in Sheffield in 1766. In 1790 he was in Nashville, as a teacher, and was there induced by Gen. Andrew Jackson and Col. Josiah Love, to study law, and about the same time he married a daughter of Col. Thomas Hardeman. In 1796, he appeared in the first Legislature of Tennessee as representative from the county of Davidson. President Adams, at the instance of General Jackson, appointed him one of the judges for the Mississippi Territory. Finding the salary inadequate he resumed his profession, and in 1807 was appointed attorney-general.

In 1810 he removed to Opelousas, La., where he was prevailed on by his old friend, Governor Claiborne, to accept the then responsible and lucrative commission of parish judge. In 1813 Governor Claiborne appointed him judge of the fifth judicial district of Louisiana, a position he held with great dignity and

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Rev. Mr. Smith had long been a Congregational minister in Greenville, Mass. He had ten children on board, among whom were Joseph, Philetas, Israel, Philander and Calvin, all of whom settled near Natchez, and founded large and influential families. Luther and Courtland settled near Bayou Sara, and left many descendants. The venerable minister sickened on the river and died soon after he reached Natchez. He was buried on the bluff, not far from the old fort.

1775. Procuring barges and open boats, General Lyman and party slowly made their way from New Orleans to the Bayou Pierre and Big Black, where the grant was to be located. His son soon died, and not long after the war-worn veteran closed his career. About a year afterwards the general's widow, accompanied by a son, and by Maj. Timothy Dwight and others, sailed for New Orleans. Pursuing the same fatal route they were overtaken by sickness. Major Dwight and a number of others died at Natchez, and the venerable widow expired soon after she reached the "improvement" on the Bayou Pierre.

A brief skerch of Capt. Mathew Phelps and his adventures, from his journal, will show the difficulties encountered by the early immigrant to Mississippi.

Being in delicate health he determined on a sea voyage, and as a party was then making up for the Natchez country he concluded to join it. They sailed from New London, December 17, 1773. After having narrowly escaped shipwreck on the Dry Tortugas, they arrived at New Orleans and proceeded up the river to examine the lands on the Big Black, which seems to have been the point of destination for a number of the immigrants.

"From Fort Rosalie," says Captain Phelps, "to Petit Gouffre (Rodney) is ten and a half leagues. There is firm rock on the east side of the Mississippi for near a mile. The land near the river is high, very broken, very rich, and several plantations have been opened. From Petit Gouffre to Stoney river (Bayou Pierre) is a league and a half. From its mouth to what is called the forks, is computed at several leagues. In this distance there are several quarries of stone, and the land has a clay soil, with some gravel on the surface. On the north side the land is generally low and rich; on south side much higher and broken into hills and vales; but here the low lands are not generally overflowed and the timber is heavy and valuable. At the fork the river parts almost at right angles, and the land between them is said to be clay and marl, and not so uneven as the lands below.

From Stoney river to the Big Black (Chittaloosa) is ten miles, This river at its mouth is usually about thirty yards wide, but widens to forty and fifty yards, and is said to be navigable for small boats thirty or forty leagues. About a mile and a half up, on the right, the lands are high and much broken. A mile and a half further the high lands appear again to the right, where there are several springs of water, but none have been yet discovered on the left. About eight miles further there are high lands near the river on the left, apparently the same as run from the Yazoo cliffs. Six miles further the land is high on both sides of the river for two or three miles, broken, and numerous springs. This land, on the left, was chosen by General Putnam, General Lyman, Captain Enos and other New England adventurers, as a proper site for a town, and by order of the governor and council of West Florida in 1775, it was reserved for the capital."

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honor twenty-seven years. He died in 1848, in his eighty-fourth year, leaving an unblemished name, a high reputation for learning, ability and usefulness, and several sons worthy of such a father.

From Daniel Lewis, Sr., and wife, who came here with General Lyman, are descended the Guions, Mellens, Peytons, Sages, and many other prominent families in Mississippi and Louisiana, maternally of the same stock with Sir Wm. Pepperrell, General Prescott, of Bunker Hill; Prescott, the historian; Chief Justice Mellen, S. S. Prentiss, Judge Parsons, etc., etc.

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Being pleased with the outlook, Captain Phelps, for fifty dollars, bought a small improvement or settlement right. While doing some work on it one John Storrs and son, recently from Virginia, applied to him for assistance. They had expended their last shilling on the journey, having nothing left but their axes and guns, and were suffering from ague and fever. Phelps generously supplied them with a little money and from his stock of provisions, taking their promise to do some work on his claim in his absence. He returned to New Orleans June 10th, 1774; arrived at home after a tedious voyage, and with his family and a number of others sailed from Middleton, Connecticut, May 1, 1776. Crossed the bar of the Mississippi July 30th, and on the 18th August started up the river. Besides his wife and children, his companions were Joseph Leonard, wife and six children, and Josiah Flowers, wife and one child, from Springfield, Mass. Mrs. Flowers sickened soon after they left New Orleans. The weather was intensely hot, and the current of the river very strong. It was the 6th September when they reached Point Coupee, where Mr. Flowers was left, in consequence of the extreme illness of his wife, and where she died. In twenty-four hours afterward Captain Phelps, his wife and children, all became ill and were compelled to tie up their boat. Mr. Leonard hired another boat and proceeded with his family, but his wife sickened and died at Natchez. September 16th, one of Captain Phelp's daughters expired and he was obliged to bury her himself, rising from his sick pallet to dig the grave. On the 23d his son died, and the wretched parent dug another grave. A few days afterwards the widowed Mr. Flowers, with his child, came up in a skiff, and on the 1st November they resumed their voyage, Mrs. Phelps getting worse. At the house of Philip Alston, near Petit Gulf, she breathed her last on the 14th. November 24th he arrived at the mouth of Big Black, on the bank of which, a short distance above, lay the improvement he had purchased.

"I was at this time," says his journal, "in a small boat with one Abram Knapp, whom I had hired to assist me, and a lad some fourteen years of age, for sickness and fatigue had so reduced me I was unable to manage the skiff alone. On making the mouth of Big Black I went ashore with the boy, having a rope for a tow line, and by pulling this along shore while Knapp steered, we made way slowly against the current. The river was very high and rapid, and to add to our difficulty, soon after we entered it we came to a lage willow tree which projected horizontally from the bank into the stream, and the top of the tree being half submerged a large drift had collected about it, and occassioned a whirlpool to set under the trunk of the tree between its sunken top and the bank, a space of thirty-five or forty feet. When we got to this fatal tree the boy and I were towing on the bank and Knapp steering. My two lovely children—all that were now left me, a girl in her tenth and a boy in his sixth year—were sitting on some blankets in the bow of the skiff, when, in an instant, it was drawn into the eddy under the tree, and the stern sank. Knapp jumped overboard and swam round the head of the tree. I prevented the instant sinking of the boat by making my line fast to a willow, and then rushed out on the tree, calling to my daughter to sit still until I could help her brother on the tree. I was holding on to it with my left hand, lest we should all perish, I being unable to swim. But, dreadful to relate, at that moment the roots of the fallen tree gave way and floated from the bank; the boat broke loose, filled and turned bottom upwards. I clung to it as long as I could, and amidst the boiling waters heard, for the last time, the voices of my dear babes crying, 'Father! Father!'"

Captain Phelps sank several times trying to recover his lost darlings, and was nearly gone when Knapp succeeded in dragging him ashore. Knapp went to the settlement at Grand Gulf, which they had left that

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morning, to get help to recover the bodies. When he returned with Ira Whitman and Nathaniel Hull, who lived there, they found Captain Phelps naked, half-frozen and frantic.

After a week or two with these kind people he went to his improvement. He found that the man who engaged to reside on it in his absence had moved away, so that by the usage of the country his claim was regarded as forfeited, and new comers, finding it vacant, and no owner or representative in the district, had taken possession. It was at this moment of affliction and abandonment the poor Virginian, whom he had befriended when sick and destitute, came to his relief. John Storrs carried him to his cabin, nursed and comforted him and insisted that he should dwell there until Providence opened a way for him.

"At that time," says Captain Phelps, "I had not whereon to rest my weary head, no family, no home, no money, a heart heavy with many sorrows, and even hope was dead. Nothing that Storrs and his son could do to console and encourage me was left undone. After I had been with them a week he informed me that, by the blessing of God, and their own industry, he and his son had prospered. They were doing well, that to me he held himself indebted for it all, that he and his son had rendered the work they agreed to do before my agent deserted the place, and that they now desired to aid me in return, and would not expect compensation until Providence should bless me with abundance. These kind friends enabled me to purchase another claim, on which there was a small house and field. They brought me a cow, a horse, farming utensils and stock hogs. The season was propitious, and my prospects grew brighter.

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CHAPTER XIV.

DURING Governor Chester's administration of West Florida, Bartram, the naturalist, visited Pensacola, 1776. The Governor and his officers, he says, maintained considerable state. He invited the traveler to become a member of his family, recommended a thorough exploration of the province, and proffered to pay all his expenses. Pensacola was, at that early day, a considerable place.

"There are," says Bartram, "several hundred houses. The governor's palace is a large stone building with a tower, built by the Spaniards. The town is defended by a stockaded fortress, a tetragon, with salient angles at each corner, where is a block house or round tower, one story higher than the curtains, mounted with cannon. This is constructed of wood. Within this fortress is the council chamber, the record office, lodgings for the officers, barracks for the men, arsenal, magazine, etc. The Secretary resides in a neat building, and many professional and mercantile gentlemen have handsome dwellings."

Mobile, at that date, he describes as being environed, for twenty miles, on the island and river banks, by well-cultivated and extensive farms. Maj. Farmer, the military governor, had an extensive and beautiful plantation on the Tensas, cultivated chiefly by French tenants. His mansion stood on the site of the ancient Tensas village, where there were many tumuli.

"1777. "The city of Mobile has been nearly a mile in length, though now chiefly in ruins—many houses vacant and mouldering away. There are a few good buildings occupied by French, English, Irish and Scotch gentlemen and immigrants from the northern colonies. Messrs. Swanson and McGilliway have here very large improvements and buildings devoted to the Indian trade, which they control. Fort Conde, near the bay, towards the lower end of the city, is a large, regular fortress of brick. The principal French buildings are of brick, one story high, but on an extensive scale, embracing a square or court yard. The ordinary buildings are a strong frame, built of cypress, filled in with brick or clay."

The settlements in the Natchez district, under the dominion of the French, were chiefly in the vicinity of Fort Rosalie. There were several extensive and well improved plantations on St. Catherine. As far back as 1720, La Harpe notes the arrival of the frigate St. Andre at Ship island, with two hundred and sixty persons, in charge of M. Dumanoir, for the plantations on St. Catherine. Numerous grants were made, as is evident from contemporary journals, but we have no official record of them, and the British and Spanish governments,

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when they came into possession, treated these plantations and concessions as public domain and disposed of them to other grantees. Had any of these grants or settlements been occupied when the country passed to the English, the occupants would have been protected in their rights. We have no evidence of any grant having been made by the French after the massacre; and no knowledge of any settlement or immigration until 1763, when Great Britain took possession, and the Natchez district became a part of the province of West Florida. The following year she garrisoned Fort Rosalie, which they called Fort Panmure. They found it a mere ruin, covered with forest trees, and a few old French cannon lying around. The probability is that Perier, in his expedition against the Natchez, summoned the garrison at Fort Rosalie to join him, and that they were not sent back, but accompanied him to New Orleans. From that period (1732,) until the British accession, (1763,) we hear nothing of the famed district—the garden of Louisiana and the favored point that had been recommended for, and should have been, colonial capital.

The Natchez district was about ten miles wide at the mouth of the Yazoo, and about forty miles wide on the line of north 31°. But there is no reliable record of its purchase by French, British or Spaniards from any Indian tribe; no data upon which to base our title, as there is in other acquisitions of Indian territory. When, with whom, and by whom was the negotiation made? Who were those who occupied it, if it was occupied at all, after the massacre? What government protected them? If they were on their lands in 1763, why is there no record of the recognition of their rights? We know that the whole district was shingled over with British grants under the seal of Governor Chester. From the visit of Iberville down to 1730, we have authentic records of the people of the district, and of all that transpired therein. But there is a hiatus between 1730 and 1763. It seems incredible that the French, after its abandonment by the Natchez, and their permanent dispersion, should entirely desert so fine a country, where so much labor and capital had been invested, and which promised to be so profitable. But there is no record of any settlement.

The following memorandum, found among the papers of Col. Anthony Hutchins, an early immigrant to the district, sheds some light on the point:

"The King in Council, sometime after the peace of '63, in consequence of a representation from Gov. Chester, of West Florida, extended the jurisdiction of said province to the Yazous, and empowered him to procure from the Indians a purchase or surrender of the land. In consequence of which a Congress was held at Pensacola, about 1770, between the Governor and Council and John Stewart, Superintendent of Indians Affairs, with the Indians who, for a certain sum, sold a district of land, to be set apart from their territory by a line to be drawn from a certain point above Mobile, and running nearly north until it should strike the mouth of the Yazous. About 1778, the surveyors commenced running this line, according to agreement, but arriving at the Stony Spring, (Rocky Spring, in Claiborne county,) about twelve miles east of the Grind-stone ford on Bayou Pierre, the Indians preceived that the course they were going would take from them their favorite ball ground on the bank of the Yazous. They refused to proceed any farther. The surveyors suspended the work. And after both parties made representations to Gov. Chester, he agreed that the Indians should have their way. They took the surveyors to the Yazous, and made them set their course from the point they

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selected, (about six leagues up the river,) to strike the former line at the Stony Spring where they had left off.

The goods to pay for this land arrived and were delivered to agents who, taking advantage of the war that broke out between the English and the Spaniards, gave but a small part to the Indians, who have ever since complained." *

In pursuance of this arrangement the province of West Florida was held to extend from the Yazous back to the point above mentioned, and jurisdiction over the same given to the governor. In 1783 Great Britain surrendered West Florida to Spain, and the subjects of the former were allowed, by the treaty, eighteen months to sell their property and retire.

This time having almost expired, application was made to the Court of Spain for a prolongation of the time, which was conceded. In 1786 the king by proclamation required all British subjects, and others, who elected to remain in the province, to take the oath of allegiance or in default thereof to retire. From the moment, however, that the British flag was hoisted over these remote territories, the tide of immigration set in; an immigration very different from the French. The French had come, for the most part, in public vessels, with free transportation, under special charters, with soldiers to protect them, and with constant succession of ships, year after year, bringing reinforcements and supplies. They devoted themselves to exploration, to hunting and trapping, to the establishing of isolated posts and to a fruitless search after silver and gold, starving on a soil capable of supporting

*In 1802, some doubts having arisen as to this line and the Indians complaining of encroachments upon their teritory, Gen. Wilkinson was ordered by the Secretary of War to perambulate and re-mark it, attended by certain leading men among the Choctaws.

In a letter to Gov. Claiborne, dated Camp, November 11th, 1802, Gen. Wilkinson says: "The mouth of the Yazoo, which is called for as the beginning of the old boundary, has, by a break of the Mississippi, made through its banks, and the consequent desertion of its ancient bed, been shifted about six miles, which circumstance devolves some difficulty with the Indian commissioners. And to this one more serious is added: The British surveyor left his east line entirely open, and it appears likewise five or six miles at the beginning of his south line. The Choctaws expect to see the old line, and nothing less will satisfy them. It, consequently, has become necessary for me to proceed to the Big Black, in order to show them the marked trees, and from thence to retrace the line back as far as it can be discovered, after which I shall propose, on the ground of mutual accommodation, to continue the line to the first bluff on the Yazoo, above inundation of the Mississippi, and there to fix our beginning.

FROM THE SAME TO THE SAME.

NATIONAL BOUNDARY, January 23d, 1803.

Last evening I completed my labors, having been greatly perplexed to ascertain the boundary, which was obscure as an Indian trace. To ascertain my distance from the Mississippi, I shall measure Ellicott's travers-, until I find some evidence to satisfy me in this particular, and if not delayed by high water will reach Fort Adams by the 28th. Will you be good enough to order for me, from the Indian goods at Natchez, the articles named below, which I have promised to the Choctaw commissioners add gnides. I will have them made up by the regimental tailors:

Three full trimmed long-skirted coats, blue and buff; capots, red cuffs and capes; five hats; three white watch-coats; six fine white shirts; four calico shirts; five pairs scarlet leggings; five blue flaps.

[It will be noticed from this memorandum that the Choctaw dignitaries did not patronize pants in 1802. They were in full court dress, with a uniform coat, hat and feather, shirt flap and leggings!

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fifty millions of people. The French consisted either of the cadets of noble families who came to seek military distinction, or soldiers of fortune who followed the profession of arms and were capable of no other vocation; of a non-producing class, the civil employees of the Company; and a few peasants and Acadians, poor, ignorant and contented with their condition. The priests and the Canadians were the only energetic class. The first were devoted exclusively to the reclamation of the Indians; the last were satisfied with their fowling pieces, and their pirogues. The very women that were sent out by the government to furnish wives for the colonists, instead of being selected from the farms and villages, had been, for the most part, picked up in the streets of Paris and from the houses of refuge.

The only inducement the British authority held out for immigration was a liberal dispensation of land to those that had rendered service to the crown. No transportation was furnished; few military posts established; no vain search after metals. Those that came, came at their own expense. They crossed the mountains to Pittsburg or to the head waters of Tennessee, where they often made a crop of corn and wheat the first season, and then built their boats and brought down with them to their point of destination, their families, their slaves and stock, and a year's supply of provisions. Or they came from Georgia and Carolina, the overland journey on pack-horses, through the Creek and Choctaw territories. Or by sea, from more northern posts, to Pensacola and New Orleans, and then by boats to their respective stations. Nine-tenths of them came to cultivate the soil; they brought intelligence and capital; and they embarked at once into the production of supplies for home consumption, and selected indigo as their crop for exportation. Tobacco was next introduced, and subsequently cotton. All the necessarises of life were in abundance and cheap. The corn crib had no lock upon it. Bacon, beef, butter and poultry were plentiful. Orchards were on a large scale and the fruit better than at present. It was a common sight to see one hundred bee hives in a farm yard, and both buckwheat and clover were then grown especially for the benefit of these epicurean manufacturers. Beeswax and honey were articles of export. The medicinal herbs and roots, rhubarb, ginger, pimento, madder, saffron, hops, the opium poppy, and many others which we now purchase from the apothecary, were grown in the gardens. Many planters tanned their own leather. Shoes were almost always made on the plantation, either by a workman belonging to the place or by a man hired to do the work. Gentlemen and ladies were clad in home-spun. Even the bridle reins, girths and saddle-cloths were made at home.

Contrast this with the condition of Louisiana which, in 1763, D'Albadie, the last (but one) of her governors, reports as "in a state of complete destitution; a chaos of iniquities; and to re-establish order extreme measures must be resorted to." Aubrey, the last French governor, depicted its condition in still stronger terms.

The war between the American colonies and the mother country stimulated immigration. Many families of wealth and distinction, and who were either loyal in sentiment, or desired to be neutral, sought an asylum in West Florida. Settlements on Bayou Pierre, Big Black and the Walnut Hills multiplied. The majority of those who came were men of intelligence and character. Bad men, outlaws and fugitives

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from justice, came likewise, but they were outnumbered and restrained by the better class; and there was generally peace and order and security for property. The land-holders were, for the most part, educated men; many of them had held commissions in the British and provincial army; others had held civil offices under the crown or the colonies, and had been accustomed to the administration of the laws of England, now, and for ages past, the great security of social order and public liberty. Such a population is a guarantee against anarchy and mob rule, and though remote from the provincial government at Pensacola, and no court of record nearer, the Natchez district was proverbial for its immunity from crimes and criminals. There is no British record of judicial proceedings in the Natchez district; and as there was considerable wealth in land, slaves, cattle and merchandise, the good order that prevailed must be ascribed to the superior character of the early immigration. The intelligent and cultivated class predominated, and gave tone to the community.

1776. Natchez, at this period, was but a small village, and the buildings were all on the batture under the bluff, some twenty ordinary frame and log houses. There were four merchants, viz: Hanchett & Newman, Thomas Barber, Captain Blomart, (a half-pay British officer) and James Willing from Philadelphia.

1778. Such was the prosperous condition of the Natchez district, and of the province of West Florida generally, under British administration. Plantations rapidly multiplied, the planters established credits in London, Pensacola and Jamaica, and received their merchandise and negroes direct from those ports.* The Atlantic colonies, from which most of the inhabitants had migrated, were then in the crisis of the Revolutionary war. Washington and his army had passed the dreadful winter at Valley Forge, the cities of Philadelphia and New York were in the hands of the enemy, and Carolina and Georgia were wasted and harrassed by the British and tories. But profound peace and good order prevailed in West Florida, and no colony in the British empire, or elsewhere, was in a condition more happy and prosperous.

*Panton & Co., McMin, Miller & Co., a branch of the great firm of Swanson & Miller, of London, had extensive establishments at Pensacola. The wealthy inhabitants of the Natchez district sent their orders once a year, very often ordering their merchandise direct from the London house. I have before me sundry invoices footing up £300, £500, and in one instance, £1000, sterling. This included a cask of London Particular madeira, a cask of sherry, a cask of porter, and a barrel of French cognac. These goods were usually sent, on their delivery at Pensacola, in a keel boat to Natchez, by the lake route and up the Amite and Manchac. Occasionally the Natchez planters made the trip to Pensacola in their own boat and with a negro crew. Louis Le Fleur, father of Greenwood Le Fleur, (after whom we have named a county, improperly spelled Leflore,) owned one of these boats, and in this business laid the foundation of his large fortune. When I knew him, in my early life, he had established an extensive plantation and cattle ranche in the Yazoo prairies, in the present county of Holmes, where he died a few years after the last treaty with the Choctaws. He had one hundred slaves and as many Indians, living about him. He was a small man, a Canadian, speaking a singular *patois* of provincial French and Choctaw, and though over eighty years old, was an indefatigable hunter, spending whole days in the overflowed prairies and swamps. He told me that he had been a great dancer in his youth, in Canada, and was called the *flower* of the fete. Hence the name Le Fleur, and the *sobriquet* superseded his original name.

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CHAPTER XV.

DURING the previous winter, (1778,) one James Willing, who had been an unsuccessful merchant at Natchez, a man of education and influential family in Philadelphia, but of ruined fortune and licentious habits, visited Lancaster, where Congress then sat, and through Robert Morris, and other influential friends of his family, obtained a commission to visit the Natchez district and secure, if practicable, *the neutrality of its inhabitants*, and then to proceed to New Orleans and obtain any military supplies that could be had and transport them to Fort Pitt.* He represented, very truly, that many of the inhabitants sympathized with the Americans; that others, though loyal, had emigrated to the province expressly to avoid taking part against their friends and kindred in rebellion; that these constituted the wealthy and ruling class in the district, and that his long residence there, and intimacy with the loyalists, would enable him to secure their neutrality, if not their support.

These representations were plausible. The moment was favorable for conciliation. George III, the most stubborn king that ever sat upon a throne, had yielded at last to public opinion and to his ministers, and Lord North had come forward with two bills, which virtually conceded all that had been the cause of controversy between England and the colonies. These were promptly passed, and received the royal sanction, though they conceded more than the colonies had demanded. Immediately afterwards the Earl of Carlisle, Governor Johnstone, late of West Florida, and the Hon. Wm. Eden, three statesmen of liberal politics, came over as commissioners to effect peace and reconciliation.

At this juncture Willing was sent on his mission down the Mississippi, to a people without military organization, strictly agricultural, separated by a thousand miles of wilderness from the seat of war, and perfectly passive in the great struggle.

1778. March 7th, he landed at the mouth of the Big Black, with a small armed party, and visited the settlements, sending messages to

*In the fall of 1777, Col. Gibson, an American officer and agent, went from Pittsburg to New Orleans with a keel boat, and had been allowed by the Spanish authorities to purchase powder, etc., from the king's magazine, and he returned up the river, being everywhere treated by the planters with hospitality and kindness. He was an honest and wise man.

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the people on Bayou Pierre to meet him. Upwards of a hundred men assembled. Capt. Phelps, an eye-witness, says:

Our settlers were, with very rare exceptions, well disposed to the American cause. Willing was a good speaker, and he represented the case for the colonies, and the certainty of their ultimate success, in very persuasive terms. He assured us that five thousand American troops, under Gen. Clarke, were on their way to this quarter, to take possession and bring us under their jurisdiction, and all that Congress and he, their agent, required of us, was the oath of neutrality; which oath, when he concluded his address, was duly administered and freely taken; our people not being disposed to compromise themselves at that period of uncertainty and transition, by any overt act, on one side or the other, which might, in certain contingencies, be construed to their disadvantage."

Most of these settlers, it should be remembered, were Americans, who had removed to this remote province to avoid the calamities of civil war. Many, in that contest, were loyal from conviction, and had abandoned their former homes rather than forfeit their allegiance, or fight against their kindred and friends. But they were all ready to give the pledge of neutrality.

Capt. Willing next proceeded to Natchez, where he was received as a former citizen, and as a peace-maker. The citizens very generally assembled and took the desired oath, pleased with the liberal views of Congress, as disclosed by the speaker, and encouraged by his assurances of the approach of an American army of occupation. The most confirmed loyalists of the country cheerfully took an oath which promised security for personal liberty and property, without any infringement of conscience or duty. In this class was Col. Anthony Hutchins, who had served in the British army before the revolutionary war, but had removed to the Natchez and was, at that date, an extensive planter, exerting much social influence in the country. A severe contusion prevented him from attending in person on the day appointed, but he sent his sons to take the oath, with the assurance of his acquiescence. Capt. Willing, during his residence at Natchez, had often been the recipient of this gentleman's hospitality; he had known him and his brother, a distinguished citizen of Philadelphia,* before the war; and he also knew, and had often been the guest of the Ellises, McIntoshes, Bingamans, Percys, Rapalies, and other leading inhabitants in the same neighborhood, who were all loyalists, but determined to be neutral.

Leaving Natchez in the *role* of pacifactor, with the good wishes of the community, Willing landed at night at Ellis' Cliffs, and dispatched an armed party to the residence of Col. Hutchins, three miles from the river. They plundered the house of its plate, money and other valuables; insulted the family, carried away twelve negro men and dragged the Colonel from his sick bed, a close prisoner. Other parties sent out by Willing had plundered and arrested several of the planters. These he released by exacting from them an oath, but refused to return the property he had seized. At Manchac, on his way down, he surprised an English merchantman at anchor, which he carried to New Orleans and sold.

We here quote from the private journal of Sir Wm. Dunbar, who

*Capt. Thomas Hutchins, Geographer General under the Crown, and afterwards Surveyor General under the Congress.

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then resided on a plantation owned by John Ross, an eminent merchant of Philadelphia, and himself, near Baton Rouge:

MAY 1st, 1778.

About the end of March, we were alarmed, late of an evening, by a report from Manchac that a party of Americans had arrived there and taken an armed merchantman that lay there, and that many more were hourly expected. Upon this intelligence I instantly determined to send my negroes for protection to the Spanish side, which was effected before the sun rising next morning. Same day I made a jaunt to Manchac to learn news; upon my arrival there I found the ship had been taken by thirteen men by surprise, and that they had dropped down below the town to be more safe. With regard to the numbers expected, nothing certain could be obtained. It was given out that 5000 were a coming, some made them 8000. I immediately returned and set out for Point Coupee, that I might gain the earliest possible intelligence of the numbers and intent of the Americans, not suspecting that any mischief was intended to the inhabitants; therefore, though I considered it prudent to send my negroes to the Spanish side, I took nothing out of my house but what was necessary to my voyage to Point Coupee. Upon my arrival at Mr. Mc.hod's, at Point Coupee, about a league below the fort, I there found Mr. Alexander, with his negroes, having just made his escape from the English side; he informed me that he had learnt that the intention of the Americans was to rob and plunder every English subject who had property of any value, some few excepted, and that several obnoxious people were to meet with particular marks of their displeasure. In this latter black list were Mr. Alexander, myself, Mr. Poussett, Williams and several others; and further I was informed that the party was commanded by James Willing, of Philadelphia, a young man who had left this country the year before; perfectly and intimately acquainted with all the gentlemen upon the river, at whose houses he had been often entertained in the most hospitable manner, and had frequently indulged his natural propensity of getting drunk. This was the gentleman, our friend and acquaintance, who had frequently lived, for his own convenience, for a length of time at our houses. I say this was the man who, it seems, had solicited a commission by which he might have an opportunity of demonstrating his gratitude to his old friends. Several of his boats were already arrived at the fort, where they made no secret of their intentions. They had taken from the Natchez, Col. Hutchins, with his negroes; they plundered Harry Stuart's house, and seized the negroes and other property at Cuming's plantation; they divided the property at Castle's, taking one-half for his partner's share, but leaving the other unhurt for himself. Presently two of the batteaux pass and land at Mr. Walker's plantation, where above one hundred shots were discharged in half an hour's time, which we afterwards found were employed in wantonly killing the hogs and other stock upon the plantation. In the afternoon the rest of Willing's boats pass down, and lastly, about sunset, the General himself dropt down and put ashore at Walker's, where the scene that followed marks well the nature of the man. The houses were immediately rummaged and everything of any value secured for the Commodore's use, after which the Heroic Captain ordered his people to set fire to all the houses and indigo works, which was accordingly done and they were quickly consumed to ashes. 'Twas not enough to pillage and plunder the man at whose house he had been often most hospitably entertained, his will must be completed by a piece of wanton cruelty, from which the monster could derive to himself no advantage. The day following, this Troop of Rascals proceed downwards: a party is sent to the plains who seize Dutton, his wife and all his negroes, and at the same time burn all his staves at the river side, by which the poor man is reduced to the lowest ebb of poverty, with a family of small children. From hence they proceed to Baton Rouge, where they find no negroes on the English side but those whom, at that time, they considered as friends. There the villains grow bold; finding small game on the English side, they pass over the Spanish Territories, and seize the negroes of Poussett and Marshall. Mine had been put at a considerable distance from the river side, by which means they could not discover them; the houses of the British gentlemen on the English side were plundered, and among the rest, mine was robbed of everything that could be carried away—all my wearing

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apparel, bed and table linen; not a shirt was left in the house—blankets, pieces of cloth, sugar, silverware. In short, all was fish that came in their net. They destroyed, also, a considerable quantity of bottled wine, though they carried away no liquor; the party which robbed my house landed at Francis', immediately below; the orders given by their head were to drive down my negroes, and if opposed by any one to shoot 'em down. They returned with information that the negroes were gone, but that much property remained in the house, which they were ordered to carry away, and accordingly made three or four trips, carrying at each time a large blanketful of the ware above mentioned. In the whole I was plundered of £200 sterling value. About this time it was discovered that Willing had left Fort Pitt with a batteau, and only 25 men, with orders to proceed to New Orleans and take charge of such stores as were prepared for him by Pollock, and return with the same up the Ohio, and also if he found himself able, to make capture of British property on the river, but no directions were given to disturb the peaceable inhabitants on land. Notwithstanding of these orders, *Capt.* Willing conceived the design of making his fortune at one coup upon the ruin and destruction of his old friends and intimates. His chief reason was that he had, by his folly, squandered a fortune upon the river, and 'twas there he ought to repair it. In order to effect this, his hellish purpose, he recruited and collected together on his way down all the vagabonds and rascals he met with, of which kind the river is always full; engaging them upon the alluring expectation of enriching themselves by plunder, and his numbers upon his arrival in this settlement amounted to 200, much more than sufficient to accomplish his design, if we consider that perhaps one-half of the inhabitants were in the American interest, which circumstance being well known to the loyal part of the people, was the means of tying up their hands, and preventing their attempts to oppose the banditti, not to mention the report of their great numbers, which were at first much exaggerated. Upon learning that the party had reached Manchac, I made a trip from Point Coupee down to our settlement, and found upon my arrival a letter for me from Willing, enclosing a passport of safety for myself and negroes *until further orders*, the three latter words taking from it every idea of security. I placed no confidence in the words of the mighty Captain, but immediately made the proper dispositions for removing my negroes to Point Coupee, where, being in the neighborhood of a Spanish post, I judged our security would be greater. This point being accomplished, I set out for New Orleans in order to see what was likely to be the end of all this plunder, and to be better able to judge what plan I ought to follow. On my way down of an evening, I met two of the American boats, on their way up again for more plunder, in which they were but too fortunate. A small party of forty men had been left at Maushee by Willing, commanded by Elliot, which was attacked in the night by Mr. Chrystie. The Americans lost three or four people and the rest were dispersed and taken prisoners. Chrystie's party being small and having many prisoners, he thought it prudent to retire, by which the coast became again clear for the Willingites. The two boats under the command of Harrison and flat-nosed Elliot, at length reached the settlement of Baton Rouge, and surprised Messrs. Williams, Watts and Dicas, made them prisoners, with all their negroes, notwithstanding that these gentlemen had had every assurance of protection and safety, and in consequence had taken oaths of neutrality. (Villains, rascals, 'twould be a prostitution of the name of Americans to honor them with such an appellation.) They were all brought to town soon after my arrival, and a public vendue soon commenced of the plundered effects.

With the spoils thus acquired Captain Willing plunged into excesses in New Orleans, and when his funds were exhausted he sent a marauding party to Manchac, and plundered the peaceable inhabitants.

Colonel Hutchins was then a prisoner in his hands. He had obtained the freedom of the city by giving his parole, and pawning a thousand dollars which he had procured from a commercial friend, Mr. James Mather. Learning that Willing and his freebooters (whom he had recruited from the most desperate characters, attracted by plunder) were organizing an expedition against the Natchez settlements to repeat

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the atrocities they had perpetrated there and on the river below, Colonel Hutchins determined to escape. Not regarding as binding an engagement made with a man who had changed his mission of peace into the raid of a jay-hawker, a brigand and not a soldier, a robber then deliberately organizing his plans for rapine and slaughter, he resolved to forfeit his money and hasten to Natchez to apprize his friends of their danger. He traveled with dispatch, and spread the alarm as he went. The inhabitants flew to arms. Captain Phelps, in his journal, says:

"On receiving this news we formed an armed association of some three hundred men, and determined to stand firmly on the defensive, let the consequences be what they would. Learning that the banditti had left Manchac and were approaching the White Cliffs, where they would necessarily cross over to the eastern shore to avoid the impetuous current, our party took position and awaited their coming. At length they appeared, and sent a skiff over with a flag which we received in a friendly manner, and we agreed that if they came as friends we would receive them cordially, if not we would not permit them to land. If they meant peace they must fire three guns immediately on the return of the flag to the barge, which we would answer with an equal number if we inclined to receive them; that the associated volunteers would not permit hostile operations of any kind at and in the Natchez, and if such were attempted, though most of us were friendly to the American cause, we would hold ourselves totally absolved from our oath of neutrality. After some time spent in consultation, they fired the three guns, to which we responded, and immediately broke up our military order, and scattered ourselves along the shore. We soon found, however, that no dependence could be placed in a banditti of villains. One of their boats, under a Lieutenant Harriman and thirty-five men headed for our shore, and the Lieutenant, as we were afterwards informed, taking up a bottle, drank to this sentiment: "*I'll reign king of the Natchez hills this night, or sleep in hell.*" When within ear-shot we distinctly heard Harriman order one Canady, (who had formerly been a resident at the Natchez) to load the gun in the bow of his boat with musket balls.

Not even yet divining his intention, we continued sitting on the bank until we heard him give the order to fire. On this we seized our arms and shouted to Canady he was a dead man if he fired, but Harriman, putting a pistol to his head, and threatening to blow his brains out, Canady discharged the gun and wounded a number of our men. Upon this murderous business we immediately returned their fire. Harriman, Elliot, Canady and five others were killed, and a number wounded. Our balls riddled their boat, and not a man could have escaped but for their lying down in the bottom of the boat. The survivors begged for their lives and were spared notwithstanding their villainous intentions.

We subsequently held a consultation upon the unhappy condition of our affairs, and the course it had become necessary to pursue. Under the advice of Colonel Hutchins, a British subject who resided among us, and still retained his commission and had not taken with us the oath of neutrality, we formed ourselves into a military body, and agreed to turn out as often as needed to protect ourselves and the settlements generally from such banditti. Their depredations, so contrary to the declaration of Willing, had absolved us from the oath we had taken, and thus the sympathy with and friendship for the American cause, in these remote settlements, were smothered by these unprincipled buccaneers."*

*That a good understanding existed, during the revolutionary struggle, between the Spanish authorities in Louisiana and the United States may be seen from the following unpublished letter from Governor Galvez to Oliver Pollock, agent of the United States in New Orleans, from which it seems that the Spanish settlements and commerce on the lakes were, actually, for a time, under the protection of an American privateer. It appears likewise, that the Spaniards were concerned in Willing's expeditions against the Manchac and Natchez settlements, and must share a part of the infamy:

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Had Gen. George Rogers Clarke descended the river from the Illinois at that juncture, as there was some reason to expect; or had any American officer, duly commissioned, and of proper character and conduct been present, the people of the district, without a dissenting voice would have taken the oath of allegiance or of absolute neutrality. But seeing no representative of the United States but the infamous Willing, who was then reported to be recruiting banditti in New Orleans for another raid, they determined, in their extremity, to apply to the British authority at Pensacola for assistance. At the same time the men able to bear arms volunteered for garrison duty, and repaired fort Parmure, which, for a long time, had been neglected. They likewise sent a company of volunteers to the relief of the inhabitants of Man-

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TO OLIVER POLLOCK.

DEAR SIR: Together with your communication of the 15th inst, I have received the two copies of the letters addressed through Capt. Felipe Barber, to the inabitants of Natchez, and I am gratified to learn that notwithstanding General Campbell's intimation to them to arm themselves against us, they should produce the desired effect as Captain Barber informs you; and I thank you very much for the part which, with your influence, you have contributed on behalf of the common cause.

As I have actually no craft with which to substitute in the lakes the privateer, "West Florida," I shall ask you, that, notwithstanding the orders you have received from the honorable Congress, and, provided always, that you should derive no prejudice from your action, to issue orders, as well for the security of this colony as for the welfare of the "common cause," to the effect the said privateer shall remain in the lakes until I shall be able to send another in her stead.

I herewith annex, conformable with your request, the report of the expedition which you have witnessed against the British settlements on the river.

God grant you long life,

BDO. DE GALVEZ.

New Orleans, October 21, 1779.

I am indebted to the Department of State for the preceding letter, and for the following, from which it appears that an American armed vessel, commanded by Captain Pickles, was at that early day cruising on Lake Pontchartrain, and had there captured the British privateer West Florida, the same referred to by Galvez in the preceding letter. This was doubtless the first vessel under the flag of Congress that appeared on our coast. And the conduct of Captain Pickles was just the reverse of Willing's. Captain P. gave protection and encouragement to the inhabitants and they cheerfully took the oath of allegiance.

"We whose names or marks are hereunto sett and subscribed, being settlers and inhabitants on Lake Pontchartrain between the Bayou La Combe and the River Tanchipaho, do hereby acknowledge ourselves to be natives as well as true and faithful subjects to the United Independent States of North America.

And whereas, on the tenth day of last month, William Pickles, captain in the navy of the said States, did arrive in this lake and made prize of the English armed sloop West Florida, who had kept possession of the lake for near two years before, and the said William Pickles, Esquire, did, on the twenty-first of the same month, land some of his people and take possession of this settlement and gave us all the protection against Indians and others that his force would admit of, and suffered us to remain on our possessions till further orders; we, therefore, consider ourselves belonging to the said States, and are willing to remain here and enjoy our property and privileges under them, the said United States.

October 16, 1779.

GERARD BRANDON,
ALEX. MCCOLLOUGH.
JAMES MOSELY,
MARY SMITH,
SAMUEL SMITH,
JAMES FARRO,
ABLE GOFFEGON,
EDWARD FOREMAN,
WM. DAKIMORE,
JACOB AMBROSE,
FREDERIC SPELL,
BENJ. CURTIS,
WM. FISHER,
PAUL PIGG,
BANIEL TUTTLE,
MATT MCCOLLOUGH,
FRANCIS FISHER,
JOHN SPELL,
WM. STEEL.

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chac, who were then being plundered by some of Willing's marauders. They repaired the old fort there, and garrisoned it with a party of associated settlers.

General Campbell, with a regiment of Highlanders and some provincial troops, then commanded at Pensacola, but the affairs of the frontier posts and settlements were chiefly confided to Charles Stewart, British Superintendent of Indian Affairs. In response to the application from Natchez, one Capt. Michael Jackson, who had enlisted a company of refugees, neither officer nor men much better than Willing and his crew, was sent to garrison Fort Parmure. He was recognized, by at least one person, as a man who had absconded from Connecticut, and by another as a sergeant of the Continental army, who had deserted from his recruiting station, and carried off all the funds. But his orders from Pensacola gave him precedence over Capts. Lyman, Blomart and McIntosh, who were in the fort with their volunteers when he appeared. Jackson, by his oppressive and arbitrary conduct to officers and men, and to the citizens generally, occasioned general discontent, until at length, Col. Anthony Hutchins, a retired British officer, and magistrate, at the head of citizens and volunteers took the responsibility of arresting Jackson, when Captain Lyman assumed command. Jackson was released, on his obligation to resign his commission and quit the country. But during the night, collecting some thirty deserters and brigands, he seized some military stores, and two pieces of artillery, and posted himself under the bluff at the landing. Dispatching runners to the Choctaws, with information that a mutiny had occurred in the fort, and soliciting their aid for the king, three hundred of their warriors soon joined him. But these untutored men, seeing the British flag upon the ramparts of Fort Panmure, refused to fire upon it, and immediately withdrew. Jackson then proposed to return to the fort with his party, and submit to orders until the matter could be communicated to their superiors at Pensacola. Captain Lyman indiscreetly accepted the offer, but on the third night Jackson and his party seized the guard and put Captain Lyman under arrest. A number of soldiers and volunteers left the fort. Lieutenant Pentacost and Lieutenant Holmes were sent by Jackson in pursuit, when coming up with them, they cocked their rifles and ordered them to surrender. At the same moment one Felt fired upon Pentacost at five paces, and shot him through the body. He then sprung upon Holmes and forced him to surrender. They permitted him and his party to return to the fort, with the body of the dying Pentacost.*

*Felt was one of the party that came out with General Lyman. After shooting Pentacost he fled into the Spanish territory below Manchac dreading the vengeance of Jackson; but after his flight Felt returned and was considered to have acted in self-defence. He established himself and family on a small farm on Coles' Creek. When the Spaniards came to Natchez after the revolt of 1781, and many persons concerned in it had fled the country or were hiding in the canebrakes and swamps, a premium was offered for the capture of the refugees. This gave license to the Indians and others, and numerous outrages aud several murders were perpetrated. Many settlers, who had taken no part in the revolt, for security abandoned their farms and got temporary homes in the immediate vicinity of Fort Rosalie.

One of these marauding parties, presented themselves in front of Felt's house, and summoned him to surrender. He immediately closed the door. His family consisted of his wife, three children and a hired man. The Indians fired several shots, which he returned killing two of them. They then fired the house. The woman and the children perished, but Felt and his companion rushed out and

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After this Captain Lyman, having contrived to confer with his friends in the garrison, made a sudden *coup de main*, and was reinstated. But instead of putting Jackson in irons, or dispatching him under guard to Pensacola, permitted him to pass in and out of the fort under parole, and in a few days he fomented a mutiny and again seized the command, putting Lyman in close confinement, and permitting no communication with either Pensacola or Manchac, except in his own interest. Lieutenant-Colonel Dickson then commanded the British fort at Manchac. On hearing of the disgraceful condition of affairs at Fort Panmure, he dispatched Captain Foster to assume command. Jackson secretly decamped, with a squad of his followers, carrying with him all the portable public property he could lay his hands on. The officers and men, who had acted with Jackson, were sent under guard to Pensacola, where several were ordered to be shot.

1779. The English in West Florida had taken no pains to conciliate the Spanish rulers of Louisiana. They floated by New Orleans with their vessels loaded with British wares, which they disposed of on the river without license, to the ruin of the Spanish merchants, and by superior energy their traders monopolized almost the entire Indian trade. Nor did a better feeling exist between the two governments at home. England was at war with France, on account of the part she had taken for the colonies, and Spain having attempted to interpose, and being scornfully rebuked, declared war against England on the point of honor.

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fought with clubbed muskets until overpowered and killed. The two shattered gun-stocks were long preserved in the neighborhood to show how these brave men had died.

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CHAPTER XVI.

THE ablest and most active man that ever swayed Louisiana, Don Bernardo de Galvez, was then civil and military governor. He immediately proposed to expel the English from Florida, but the old fogies in his cabildo or council recommended delay. Paying little heed to their objections the general proceeded with his arrangements, and on the 7th September, attacked and stormed Fort Bute, at Manchac. With some fifteen hundred men he advanced rapidly up the river to Baton Rouge, a post commanded by Lt.-Col. Dickson, of the 16th regiment, with a garrison of four hundred regulars and one hundred and fifty militia of the country, with abundant stores and supplies. One hundred and twenty of the garrison were on the sick list. Galvez opened his batteries of heavy artillery, and after a brisk fire of three hours, the British commandant displayed a flag and proposed to capitulate. He was permitted, with his command, to retire to Pensacola, but surrendered all the British posts, including Baton Rouge, Fort Panmure, Fort Bute, the posts on the Amite and Thompson's creek, and the entire district of Natchez.

1780. Leaving Col. Grandpre in command at Natchez, Galvez returned to New Orleans, and in January set out to reduce Mobile. He encountered a hurricane which inflicted much damage upon his transports, and retarded his operations. But on the 10th March he entered Mobile harbor, and on the 14th opened six batteries on Fort Charlotte. Seeing a serious breach in his works, and the Spaniards preparing for an assault, the commandant capitulated, and surrendered Mobile, and the whole country from the Perdido to the Pearl. The next object of Galvez was Pensacola, the seat of government of West Florida. Knowing the strength of its garrison and fortifications, he went to Havana and obtained reinforcements and heavy artillery. His forces from New Orleans were transported to the Perdido, and thence marched to Pensacola, where he was waiting for them with a formidable fleet and a regiment of Spanish infantry. Galvez opened the bombardment from his ships and land batteries, April 2d, (1781,) and kept it up, with little intermission, for a month. The garrison made a stubborn resistance, and it is doubtful what would have been the issue, but on the 9th May the magazine in the fort exploded and a capitulation became inevitable. Gen. Campbell surrendered the garri-

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son as prisoners of war, and with it the entire province.* With this terminated the British dominion in West Florida, after an occupancy of nineteen years.

1781. Strong garrisons of Spanish infantry, then renowned for their valor and discipline, occupied Pensacola, Mobile, Baton Rouge, Man-

*The following unpublished journal of the siege and surrender of Pensacola was kept by Sergeant James A. Matthews, who afterwards resided many years in the vicinity of Natchez, and died here at a very advanced age:

"April 12th. Our mounted scouts and Indians discovered the enemies advance, and drove them back until they opened on us with two field pieces, when we fell back to our first redoubts. In this skirmish Lieut. Vanhorn was shot in the head and died during the night. 13th. This night began to fortify on an eminence about one and one-half miles west of Fort George. 14th, 15th, 16th, 17th. Heavy winds and incessant rain. 18th. A polacco and schooner, under Spanish colors, came into the harbor. Enemy fired a *feu de joy* from their shipping and batteries. 19th. Several ships appeared off Santa Rosa Island. 21st. More ships for the enemy, and the rumor is they bring a number of French troops. 22d. The Spaniards made a demonstration near the upper redoubt, but were fired on and fell back. 24th. Enemy came out of their works and a skirmish ensued. They retreated after losing several of their number. During this skirmish a brigantine anchored near the lower end of the town and opened fire on Fort George, which was returned, but the distance was too great to be effective on either side. An express arrived from South Carolina and brought news of the defeat of the rebels by Lord Cornwallis, and an intended reinforcement for this garrison. A *feu de joy* fired by the troops, by the fort and the several batteries. 25th. The enemy came out of their works and a brisk engagement ensued. They were driven back. We had one killed and five wounded. From a prisoner we learn that in the skirmish on the 12th, Gen. Galvez was wounded, and Col. Kiell and several others killed. 27th. The volunteers, with a few regulars and Indians, surprised the enemy and drove them into their works, when the fire from their field pieces compelled us to retreat. This engagement began at 10 A. M., and continued till 2 P. M. Enemy suffered considerably. 28th. Seven deserters came in last night and ten this morning. 29th. During the night the enemy threw up an entrenchment within cannon shot of our works. Played on them with our pieces all day and most of the night. 30th. This morning our field pieces were advanced beyond the upper redoubt, and for three hours from the fort and our batteries we kept up a heavy cannonade, which was replied to. The Indians brought in a prisoner, who was ransomed by Gen. Campbell. May 1st. Enemy erecting works. We play on them day and night. 2d. Enemy opened a new battery on us. Four of our men killed and seven wounded. 3d. Enemy erecting works on the hill beyond our upper redoubt. 4th. A detachment of Pennsylvania and Maryland loyalists, with the light horse and the Waldekers and some volunteers, marched out to storm the enemy's entrenchments. Under cover of a heavy fire from our upper redoubt, we were almost upon them before they discovered us. A panic ensued. We dashed at them with the bayonet, drove them out of their works, spiked their cannon, burnt their fascines and cotton sacks, and killed forty or fifty. We had one ensign killed, and a corporal and fifteen men wounded. 5th. Lieut. Carroll killed by a shell; Captain Forster wounded. 8th. About 9 P. M., a shell from the enemy fell on our magazine, exploded and blew it up, killing upwards of one hundred of our men, and destroyed the upper redoubt. The enemy advanced in force and took possession of it. The guns in Fort George and from the middle redoubt kept up a heavy fire, but the enemy, from their new position, killed a number of our men with small arms. About two o'clock Gen. Campbell, finding the situation desperate, sent a flag and proposed a parley to arrange terms of capitulation. These were agreed to and signed May 9th, 1781, between His Excellency, Don Bernardo de Galvez, Knight Pensioner of the royal and distinguished Order of Charles III, Major of the armies of His Catholic Majesty, Inspector, Intendant and Governor-General of the Province of Louisiana and Commander-in-Chief of the Expedition; and His Excellency, Peter Chester, Esq., Captain-General, Governor and Commander-in-Chief in and over His Britanic Majesty's Province of West Florida, Chancellor and Vice-Admiral of the same, etc.; and His Excellency, Major-General John Campbell, Commander of His Majesty's forces in said Province of West Florida.

By this capitulation the fort and the whole province were surrendered to the Spaniards. The garrison to march out with the honors of war, and to be duly transported to the British provinces or suffered to remain twelve months to attend to their private affairs.

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chac, Natchez, Nogales and other points, all under the control of the ablest soldier and administrator of his times. Galvez inspired universal respect, and his military movements, well planned and boldly pushed, never failed. His easy victory at Baton Rouge had astonished the English settlers in the Natchez district. It was something new to hear of the surrender of a British garrison, and many went so far as to accuse Col. Dickson of treachery. They were firmly persuaded, however, that Galvez would meet his Nemesis at Pensacola, and they determined to strike a blow themselves against the Spaniard. Knowing that preparations were going on for the siege of that city, they dispatched a courier to Gen. Campbell proposing to make a diversion in his favor, and asking him to support it. Campbell wrote to them to seize and hold the fort, and that he would send some troops to their support.* With this came the news that a British fleet, with several regiments, was then off the coast with orders to reconquer and occupy the country.

Thus encouraged, and reposing unshaken faith in the invincibility of the British arms, the veteran half-pay officers in and around Natchez, who had served under Abercrombie, Amherst, Forbes, Wolfe and Sir Wm. Johnson in the Canadian campaigns in 1758-9, and under Albermarle in the seige and capture of Havana in 1762, concerted measures for the seizure of Fort Panmure. They had been trained to hate the Spaniards and the French—the old hereditary feeling, growing out of frequent and protracted wars, that influenced all people of English descent in those times. They remembered the bloody executions ordered by O'Reilley, the Spanish governor-general, in 1769, and, as good protestants, they believed that the Inquisition and the instruments of torture, and the proscription of their religious faith, would be introduced by the Spaniards. It was determined then to strike a blow while Galvez was at so great a distance, and to hold the fort for the king, or deliver it to the American forces if they descended the Mississippi. They were loyal to England, but they preferred American to Spanish rule.

These officers were Col. Anthony Hutchins, who had been a captain in the 60th regiment, British foot, and had served under Lord Amherst. Retired on half pay in 1762, settled in North Carolina where he married, and was appointed colonel and sheriff of his county. June, 1772, he visited Natchez and selected the White Apple Village for his settlement; planted a field of corn, cultivated and *cached* it, after the Indian mode, in pits; returned to North Carolina for his family, and in the same year, 1773, arrived at his new settlement.

Capts. Blomart and Lyman had both served in the same campaigns, and had retired on half pay.

Christian Bingaman and Jacob Winfree had held commissions in the provincial army under Gen. Forbes.

Capt. Ellis had commanded a company of Virginians, in the battalion of Royal Americans, under Gen. Stanwix.

Mann, the courier whom they had sent to Pensacola, on his return through the Choctaw nation, induced Folsom, a chief, and fifty warriors, to accompany him to Natchez, and on their arrival the people

*MS. of Col. Hutchins.

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generally assembled with their arms. They took position on a hill, at the house of John Rowe, and unfurled the British standard.*

April 22d, 1782. The Spanish commandant sent out a conciliatory message, warning them of the responsibility they were incurring, and recommending them to retire to their homes, with the promise of amnesty for all but their leaders. They answered him with a discharge from an old French cannon, and two small pieces they had recently seized on a boat ascending from New Orleans. The fort returned the fire very effectively, tearing through the house that they occupied, and killing a corporal and wounding three others. It became evident to the old soldiers that they could make no impression on the strong earth-work of Fort Panmure, at that distance and with such artillery. While deliberating what plan to pursue, one Stille, who resided with Capt. McIntosh on St. Catherine's, was intercepted carrying a letter from that gentleman to the Spanish commandant,† advising him to hold on, that the revolt would soon die out. They promptly determined to turn this letter to their advantage. Calling on one of their number, John Alston, who had the art of imitating hand-writing, they wrote to the commandant over the signature of his friend McIntosh, that farther resistance was useless; that the insurgents had secretly undermined the fort, and deposited therein a large supply of powder brought by Indian pack-horses from Pensacola, and that that very night had been fixed on for the explosion. By the threat of executing him wherever they found him, they prevailed on Stille to be a party to this stratagem, and he proceeded to deliver the letter. Panic-struck by the intelligence, and never doubting it for a moment, coming as it purported, from their most influential adherent, the commandant promptly threw out a white flag. He was allowed to surrender and immediately take up his march for Baton Rouge, escorted by Capt. Winfree and a guard. The insurgents marched in and the British flag was once more planted on the ramparts of Fort Panmure.

When the escort with their prisoners, reached Loftus' Heights, five barges under the Spanish flag, crowded with soldiers and Indians, were seen ascending the river. This was a surprise and, of course, there was a stampede, The Spanish prisoners were released, and made their way to the boats. Captain Winfree with his men retreated on the path to Natchez. He halted at his own house on or near Homochitto, to provision his men, taking no precautions, as he supposed the hostile expedition would proceed up the river. But, on conferring with the officers who had just been released by Winfree, Major Mulligan, an Irishman, commanding the Spanish expedition, leaving only men enough to conduct his barges to the White Cliffs, landed and pushed on after Winfree. Ascertaining through his scouts that the party were wholly unsuspicious, engaged in pounding corn and roasting beef, he fell upon them at daylight, killed fourteen and captured a number. But before this occurred the courier, whom Captain Winfree dispatched when the Spanish barges were first discovered, had arrived at Natchez with the news, and the citizens immediately assembled. Intelligence

*Afterwards the well-known residence of the late Job Routh.

†A wealthy and intelligent planter on St. Catherine, had been a staunch royalist in Georgia; removed to the Natchez and was much respected by, and intimate with, the Spanish authorities.

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came, too, of the disaster at Winfree's and it was determined to march and give battle to the enemy wherever he could be found. The Spaniards had reached a point near the White Apple Village, (the residence of Colonel Hutchins) when they ascertained that a formidable party was advancing against them, and it was resolved to retreat to the White Cliffs, a strong defensive position, where they would be in communication with their boats and their supplies.*

They had not been long in position before they were confronted by two hundred determined men, expert with the rifle, led by officers who had seen service on many fields. They would, doubtless, in half an hour have driven the Spaniards over the cliffs, and into the river, but just while forming for a charge a courier rode up from Pensacola, with the astounding news of the surrender of that capital, of the fort and garrison, and of the entire province of West Florida to the victorious Galvez! And that the British fleet, with reinforcements, reported to have arrived was, in fact, the Spanish fleet, with veteran troops, from Havana!

The brave men, who had thus far so successfully carried the revolt, and had so often won battles under the British flag, were paralyzed. The insurrection instantly collapsed. The rank and file might find safety by dispersion, but for the leaders, with confiscation, imprisonment and summary execution staring them in the face, the only thought was of family, the only recourse immediate flight—flight through a vast wilderness, occupied by savages, to the the British posts in Georgia and Carolina. A more precipitate and distressing exodus never occurred. Leaving their homes which they had made comfortable by severe toil, their property which had been accumulated by patient industry; with no transportation but a few pack-horses, with no luggage but their blankets and some scanty stores, they gathered their wives and children, and struck into the wilderness. Fearful of

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*The White Cliffs, now known as Ellis' Cliffs (after Col. John Ellis, one of the most distinguished pioneers,) twelve miles below Natchez, and one of the most picturesque points on the Mississippi. Once the residence of Terre Blanche, or White Earth, a noted chief of the Natchez.

In the Spanish records I find the following, addressed to his Excellency Governor Miro:

"The memorial of a few of the inhabitants of Second Creek, in behalf of themselves and others humbly showeth:

That a piece of land, not exceeding one hundred and fifty arpents, lying between Mr. Ellis' line and the river, at the White Cliffs, poor, broken, and not desirable for cultivation, is nevertheless well adapted for stores, warehouses and a public landing, and would be if used for such, a convenience to the public, and specially to your petitioners and their neighbors. Your memorialists therefore pray that no private claim may be allowed to cover it, but that your Excellency will order it set apart for the use of the Sovereign and of the public.

NICHOLAS LONG,	ABNER GREEN,
SAMUEL HUTCHINS,	ISAAC JOHNSON,
WM. VOUSDEN,	JOHN SWAYZE,
DAVID MITCHELL,	ISRAEL SMITH,
JESSE CARTER,	SAMUEL COOPER,
NEHEMIAH CARTER,	JOSEPH DUNN.

Natchez, January 15, 1778.

Whereas I, Anthony Hutchins, have a claim to the above mentioned tract, yet, as it will be a great convenience to the inhabitants to have it set apart for public uses, I hereby waive my claim if the prayer of the petitioners be conceded.

ANTHONY HUTCHINS.

The Governor issued the order on the back of the Petition, but the place has long since caved into the river.

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pursuit, fearful of ambush, dogged by famine, tortured by thirst, exposed to every vicissitude of weather, weakened by disease, more than decimated by death, the women and children dying every day, this terrible journey makes the darkest page of our record. But the courage and perseverance they evinced, the uncomplaining patience and fortitude of refined and delicate women, at that period of suffering and peril, shed a glow of sunshine over the story, and their descendants, still numerous in Mississippi, will read it with mingled pity and admiration.

Among these fugitives were the Lymans, Dwights, and many of the most cultured families of Massachusetts and Connecticut. The supplies they brought with them were soon consumed, and then they lived on roots, herbs, and whatever they could gather in their flight. Some of the Indians they fell in with seized their pack-horses; others, more humane, would divide with them their meat and corn. Having broken the only compass in their possession they traveled by the sun and stars. They crossed the numerous rivers on their route on rude rafts bound together with vines. When they got to Bayou Pierre it was very high, with a fierce current, and to cross it on a frail raft was too hazardous. They tried various expedients and failed, and at last the most of the men threw themselves on the ground and declared they might as well die there, unless Providence opened a way to cross over. One man only insisted that, on the opposite shore, in all probability, Indian boats were secreted, and that if one or more would join him they would attempt to swim their pack-horses and make a search. No one seconded the proposal, until Mrs. Dwight said that she would venture. Her husband, roused by her intrepidity, declared that he would make the trip, but his wife insisted on accompanying them, and all three plunged into the river. They were swept down by the violence of the current, and were given up for lost; but Providentially they struck a reef where the water was shallow, and finally reached the shore. After a long search they found an old Indian pirogue, full of cracks and seams, which they caulked by tearing up a portion of their ragged garments, and then, by constantly baling, the travelers contrived to get over three at a time.

At one point on the journey—when, owing to cloudy weather, they had not been able to regulate their course, and had wandered out of their way into the prairies, they had been thirty-six hours without water. The pangs of hunger were hard to bear, but their thirst became intolerable. On the morning of the second day, perceiving no sign, they halted, leaving Mrs. Dwight and two others in the camp, and scattered in different directions in search of water. Late in the afternoon, one at a time, these parties came in, broken down with fatigue, unsuccessful and despairing. To press forward, to remain or to retrace their footsteps, either seemed inevitable death. The heroic woman, who had led the way across the swollen river, now staggered to her feet and said, "Christians never despair. I will proceed onward in the search and not stop as long as my limbs will support me." Followed by two men and two women, in the course of an hour, when they were nearly exhausted, she paused at a spot where the grass was luxuriant and the soil spongy. "Here," said she, "we must find water or die." By digging a few feet, with their hands and sharp bits of wood, the water slowly oozed up, and thus a second time the whole company was saved

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by the faith and fortitude of one feeble woman. At length, naked, and emaciated from sickness and famine, the few survivors reached Savannah. Doctor Dwight and his wife returned to Northampton, Mass. He was afterwards lost on a voyage to Nova Scotia, and the heroic woman who had resisted suffering, and inspired the despairing, succumbed under the blow. Such is the nature of those we love best. Enduring physical ills, reverses of fortune, privation and danger with more than the patience and fortitude of men, but fading and sinking under the slightest wound to their affections and their faith.

Colonel Hutchins, who had been so prominent in the revolt, had a large family, and a large estate. He, at first, with eight followers, secreted himself in the cane-brake, until he could ascertain whether the Spanish policy would be amnesty or revenge. Finding that Captain Blomart, Captain Winfree, Parker Carradine, George Rapalie, John Alston, John Smith, William Eason, and others, had been seized, ironed and sent to New Orleans, he resolved to strike for Carolina. His wife was a woman of great firmness, inured to the perils of frontier life.* She determined to remain with her daughters, and protect, as far as she could, their large property. Colonel Hutchins fortunately had influential friends in New Orleans, and he occupied his last moments at home in writing to them for the protection of his family. He had barely finished, when an armed party entered the house, but he contrived to escape. They seized his body servant Tony, who had accompanied him from Carolina, and on his refusing to disclose the hiding place of his master they hung him to a tree and left him for dead. As soon as they disappeared Mrs. Hutchins cut him down and with difficulty saved his life.†

Col. Hutchins and his party lay close until night, and then striking through the woods, they fell into the old Indian path to Mobile (now known as the public road from Natchez, by the old court house to Liberty.) They struck this trail not far beyond what is now known as Sandy Creek, and just about day-light they were fired upon from a dense thicket on both sides of the road, by a strong body of Indians, with a few Spaniards, ambushed on the path on the lookout for fugitives. Four of the party fell. Col. Hutchins and a lad of sixteen, John Orr, being in the rear, escaped untouched, and immediately took to the woods. They returned no more to the path for fear of another ambush, lay by in the day and traveled as well as they could at night. They pursued this course until they crossed Pearl river. There they turned aside, and having no food, and no arms, (but an ordinary hunting knife,) they killed one of their horses, and jerked and dried it over a fire. Stringing this on grape vines and packing it on their other horse, they resumed their journey, the Colonel aiming to strike the trail that he had traveled in 1772 and 1774, when moving to the Natchez from Carolina. His object was to reach Charleston

*When Willing's party visited her house, and ordered her to deliver the plate and money, she refused. The officer pointed a pistol at her head and she cried out, "Shoot, ruffian, you can easily kill a woman."

†This faithful African long survived his master and mistress and most of their family. He continued to reside, all alone, at the White Apple Village long after the place had been abandoned and the buildings crumbled away, and was at last when in extreme old age murdered by a negro for his little hoard of money. Sparks, in his "Reminiscences of Fifty Years," speaks of his interview with Tony, and relates this incident.

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or Savannah. They avoided the Indian towns, and the few Choctaws they met were in amity with the English at Natchez, ignorant, likewise, of the change that had occurred, and did not molest them. When they reached the Alabama they killed their other horse, and spent three days in barbecuing the flesh, which they had to pack on their backs. They were several times detained after getting into the country of the Creeks, or Muscogees; once particularly, when they got to the Chata-uchee river at the ancient town of Chehaw. Just on the opposite side was the town of Ussata, and, though they were so contiguous and belonged to the same confederacy, their language was radically different. While thus detained over two months, a company of traders arrived on their way to Augusta. Through their influence they were released, and mounted on pack-horses accompanied the traders. Col. Hutchins made his way to Savannah, thence to London, where he remained several years, when by the intercession and influence of friends in New Orleans and of William Panton, the great English merchant at Pensacola, with the Spanish authorities, he was permitted to return.*

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*William Panton was a native of Aberdeen, Scotland, who came to Charleston before the American revolution, with his countryman Thomas Forbes, and entered into an active and profitable traffic with the Creeks, Cherokees and Chickasaws. They invested in lands and soon acquired large estates in Carolina and Georgia. When the revolution broke out, being determined loyalists, their estates were confiscated and they moved to East Florida, then a British province, rapidly developing under British capital and enterprise. On the 15th January, 1783, they received a license signed by the Governor, Brigadier-General McArthur, commanding His Majesty's forces, and Thomas Brown, Esq., Superintendent of Indian Affairs for the Eastern Division of the Southern District of North America, to carry on the Indian trade and supply them with British manufactures. They established themselves on the St. Mary's river, under the style of Panton, Leslie & Co., Leslie being a brother Scotchman.

On the cession of the Floridas to Spain, February 20th, 1783, by agreement between His Majesty's officers and Don Manuel de Zespedes, the Spanish Commissioner, Panton, Leslie & Co., were permitted to continue their residence and business. Shortly afterwards the Spanish authorities remitted to them all duties on goods imported in their own vessels, and their persons and effects were declared exempt from the "jus alibi natus." Their principal establishment was at Pensacola, with branches at St. Johns, St. Augustine, St. Marks, Apilachicola, Mobile and Chickasaw Bluffs, with trading establishments for receiving peltries and drying skins at many of the Indian towns. They imported goods and sent returns to London, on their own ships, and employed fifteen sloops and schooners in their business. They had an express agreement with the Spanish government that in the event of war between the two countries, they were to be allowed eighteen months for the removal of their property. By a royal order, May 3d, 1798, the time was extended two years, and finally, on account of the great and useful influence they exerted over the Indians, they were permitted to remain permanently without any restrictions and carry on their trade as British subjects. Wm. Panton lived in great splendor, in a palatial residence at Pensacola, and was styled by the Indians "The White King." The celebrated Creek chieftain, Gen. Alexander McGilveray, died at his house.

This great concern was:

From October, 1792, to August 31st, 1795.	PANTON, LESLIE & CO.	THOS. FORBES, WM. PANTON, JOHN LESLIE.
September 5th, 1792. to September 30th, 1798	PANTON, LESLIE & CO.	WM. PANTON, JNO. LESLIE, ROB'T LASLIE, THOS. FORBES, JNO. FORBES, JNO. FORRESTER.

Robert Leslie died in 1798.

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Mulligan and his men committed many outrages, but Col. Grandpre arriving at Natchez with a detachment of regulars, soon restored order. Many arrests, however, were made, and much property seized. Col. Grandpre, who was an old friend of the family, declined to seize any of the effects in the hands of Mrs. Hutchins, or to confiscate the land, but referred the case to Don Pedro Piernas at New Orleans, and permitted Mrs. Hutchins to be the bearer of a letter to him, under an escort from his garrison. The chivalric Spaniard received her with great courtesy, and sent her back with this note to Grandpre:

"You did right to permit no seizure of this lady's property. We war not on women or for plunder. She has already been robbed by American brigands, and our forbearance will contrast honorably with theirs."

Capts. Blomart and Winfree, John Smith, Parker Carradine, William Eason, George Rapalje and others were arrested while preparing for flight, and were sent prisoners to New Orleans. John Alston was arrested in the Indian territory. Philip Alston, John Ogg, Christian Bingaman, Caleb Hansborough, Thaddeus Lyman, John Watkins, Wm. Case, John Turner, Thomas James, Philip Mulkey, Ebenezer Gossett, Thompson Lyman and Nathaniel Johnson, all active in the revolt, escaped to the Cumberland settlements. All of these, includ-

1798 to December 31st, 1801.	PANTON, LESLIE, & CO.	WM. PANTON, THOS. FORBES, JNO. FORBES, JNO. LESLIE, JNO. FORRESTER.

William Panton died at Savannah, Georgia, in 1801.

1801 to 1803	PANTON, LESLIE & CO.	THOS. FORBES, JNO. LESLIE, JNO. FORRESTER, JNO. FORBES.

John Forrester retired from the concern, and John Leslie died about 1803.

1803–1808.	JNO. FORBES & CO.	JNO. AND THOS. FORBES, JAS. INNERARITY, WM. SIMPSON AND PH. YONGE.
1809–12	JOHN FORBES & CO.	THOS. AND JOHN FORBES. JAS. INNERARITY. WM. SIMPSON, PHILIP YONGE.

Thomas and John Forbes and Philip Yonge were stationed in East Florida. Jas. Innerarity and Wm. Simpson in West Florida.

James Innerarity arrived from Scotland in 1796, and was leading clerk in the house till admitted a partner in 1803. John Innerarity was managing clerk from 1803 to 1812, when he became partner and was the last survivor, dying at Pensacola in 1855. In 1830 he was appointed Vice-Consul of France, and in 1846, at the instance of Guizot, was nominated chevalier and received the cross of the Legion of Honor. He was a man of varied learning and elegant accomplishments. He married the daughter of Col. Marcos Canton de Villiers, a Norman noble in the Spanish service.

The Panton residence, stores and ware-houses in Pensacola, covered a whole square. They were chiefly built of imported brick. Destructive fires and the lapse of years have left few remains of them. The site is now occupied as a hospital.

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ing the prisoners in New Orleans, were ultimately pardoned and permitted to return, chiefly through the wise and conciliatory policy of Piernas, and the intercession of Panton & Co.

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Gov. Don Manual Gayosa de Lemos.

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CHAPTER XVII.

WITH the exception of O'Reilly, who had been dispatched specially to crush a formidable insurrection, the Spanish governors exercised their authority mildly. There were doubtless many abuses practiced, but they cannot justly be accused of severity. No military executions were ordered. Confiscations were, in numerous instances, cancelled; in others so modified, as to set aside half the property for the family of the fugitive. A number of persons concerned in the insurrection, and being compelled to fly, made forced sales of their property for a very inadequate consideration. In all such cases brought to the notice of the authorities, the sale was nullified, and the property, in whole or in part, restored to the original owner or to his wife and children. The Lyman mandamus of twenty thousand acres on Bayou Pierre was seized by the authorities, but when it was ascertained that Salome, grand-daughter of General Lyman, had been left destitute with her aged grandfather, Waterman Crane, one-half the tract was relinquished for her benefit. The large property of Colonel Hutchins, consisting of extensive bodies of land, numerous slaves, one thousand head of cattle and five hundred horses, was not molested.*

1782. Francis Collet arrived at Natchez as civil and military commandant, and was succeeded the following year by Colonel Trevino. Next came Don Estevan Miro, followed by Piernas, Don Francis Bouligny, and then by Don Carlos Grand-Pre, who was succeeded by Don Manuel Gayoso de Lemos, the last of the Spanish governors at Natchez.

1792. During his administration, the excitement of the insurrection having subsided, the immigration of Americans into the district was renewed. The clemency of the Spanish authorities, the easy terms on which they granted lands, the exemption from taxes and from military service, their interposition to protect the honest debtor from usurers and alien creditors, the unrivalled fertility of the country and the free access to New Orleans permitted to settlers, were powerful inducements to colonization. The immigration, as we have seen, under British rule, consisted for the most part of those who sought this remote retreat to escape the calamities of civil war. Many of these were Highlanders from North Carolina. After the fatal battle of Culloden

*This was due to the influence of Panton & Co., of Pensacola.

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in 1745, large numbers of the followers of the Stuarts left their country and settled along the Cape Fear river, and gradually spread over the counties of Bladen, Anson, Moore, Richmond, Robeson and Sampson. Remembering the horrors of their own rebellion, and having then preserved their lives by taking an oath of allegiance to the house of Hanover, they now generally sided with the crown. One of their most influential men, Gen. Donald McDonald, was commissioned by Governor Martin, brigadier-general, and when he hoisted the royal standard February 1, 1776, fifteen hundred of his countrymen, and their sons, assembled around it.* He, however, was soon afterwards defeated by Colonels Moore, Caswell and Lillington, with the State troops. The authorities of North Carolina, appreciating their position and scruples, acted wisely and generously, granted a full amnesty, and invited them to unite in the common struggle for liberty. They never again took up arms except under compulsion, and many of them immigrated to West Florida, and their worthy and industrious descendants may be found from Pensacola to Natchez.

The Scotch-Irish, consisting of emigrants from the north of Ireland, descendants of Scotch parents intermarried with the Irish, were numerous in Pennsylvania, Virginia and North Carolina, in 1775, and generally took up arms for the colonies, but many of them finding their neighbors and friends divided, and the feeling becoming more vindictive every day, followed the British authorities into Florida, and were among the earliest and most valuable settlers in the Natchez district.

The immigrants who came to the Natchez after the Spaniards regained West Florida, in 1783, came chiefly to better their fortunes, and with the conviction that the United States had a just claim to the country, and would soon assert it. The Greens, Wests, Montgomerys, and others, were the leaders of this class. They brought with them culture, social position, enterprise and considerable wealth, and these elements controlled and characterized the community. At no period since has there been better order and fewer crimes. The Spanish authorities had no disposition to be severe, nor did they manifest any desire to be so. The successive commandants at Natchez, and the governor-general of Louisiana, were accomplished gentlemen, trained to arms, stately but courteous, punctilious, fond of etiquette and pomp, but hospitable, generous and forbearing. They were Catholics, of course, and such was the religion of the kingdom and its provinces, and those who emigrated to the country came with a full knowledge of the fact. A large majority of the settlers were Protestants, who enjoyed their faith and the right of private worship. No attempt was made to proselyte or proscribe them, nor was there ever any official interference unless the parties in their zeal, or under indiscreet advisers, became offensively demonstrative. There was, in fact, more religious freedom and toleration for Protestants in the Natchez district, than Catholics, and dissenters from the ruling denom-

*The celebrated Flora McDonald, who had saved the life of Charles Edward, after the battle of Culloden, married her cousin, Allen McDonald, and in 1775 settled first where Fayetteville now stands, and afterwards in Cumberland county. General McDonald was her relative, and her husband was one of his captains. They soon after returned to their native country, where she died in 1790, and her husband two years after. Their children all lie by them in the Isle of Skye, but her kindred and clan may be found from North Carolina to Mississippi, where they are still numerous and influential.

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ination, enjoyed in either Old or New England. The religious bigotry and proscription so prevalent at that day, in Massachusetts—the sectarian frenzy which has been witnessed, in our own times, distracting families and communities, breaking up educational institutions, silencing ministers, burning convents, enforcing test oaths and carrying religion into politics, and politics into the pulpit, were entirely unknown. It was a community of Protestants under a strictly Catholic dynasty, in an age of intolerance. But here there was little persecution, no proscription, no civil distinctions made, and never any interference except, in one or two instances, when the preservation of public order was imperative. Sir William Dunbar, a British subject, brought up in the discipline of the Scottish church, who settled at Baton Rouge in 1775, and had every opportunity of observation, in the private journal which he kept, notes no interference with the rights of conscience, and testifies to the impartial administration of justice. "British property," he writes, "is in perfect security. An Englishman may come here and recover his debts, and obtain justice as soon as in Westminister Hall." This is a remarkable tribute to the integrity of the Spanish officers. Debts were promptly collected. The initial process was by petition setting forth the amount of the claim and the consideration, and all the circumstances, whereupon an order issued to the party to appear on a certain day, and arbitrators, usually the best men in the community, were designated by the commandant to decide the matter, a tribunal preferable to the jury system as it is now conducted, when the highest rights of property, depending on intricate questions of law, are submitted to men, often notoriously ignorant and corrupt, picked up in the grog-shops around the court-house.

While the British held West Florida the people of this district had purchased many slaves from the Jamaica merchants, usually on a credit of twelve months, or one or two years, and, on the change of government, agents were sent over to collect these debts. Governor Miro found it necessary to grant a stay of proceedings, to avoid breaking up the planting interest. The planter exhibited on oath a full inventory of his property; it was duly appraised, and the whole being recorded on the books of a notary, was held as a mortgage until the debt could be paid out of his crops. British subjects were allowed two years longer to dispose of their property, with the privilege of remaining permanently on taking the oath of allegiance.

The Spanish Secretary wrote to Governor Miro:

"I have informed his Majesty the King, of the measures taken by your Excellency for the respective interests of the inhabitants of the Natchez and their creditors, and laid before him the reasons assigned by your Excellency and Don Manuel Gayoso de Lemos; and his Majesty the King, considering the solidity of your showing in the papers submitted, has come to the resolution of approving the suspension of the executions, ordered by your Excellency, and by virtue of his supreme authority, to grant to the inhabitants of the Natchez the delay of *five years*, to the year 1800, in the manner your Excellency proposed, they paying every year out of their crops as much as possible, thus gradually diminishing it so as to pay the whole in the last year, or before, if practicable, your Excellency and the Governor of the Natchez taking care that there shall be no omission on the part of the debtors, and that good faith and the necessary punctuality be observed, with the other precautions and formalities for the protection of creditors."

That there were many abuses, particularly in the exaction of fees, and the receiving of bribes, by officials, who often exercised at the

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same time executive and judicial powers, there can be no doubt. Such abuses exist in all, and especially in colonial governments, and unfortunately the evil seems to have taken root, like a cancer, in the vitals of this country, notwithstanding the boasted freedom of its institutions. To guard against extortion, the following clause, devised by a Spanish lawyer, was usually inserted in wills and testaments:

"And whereas the taking my inventory and valuing my property would incur costs and fees prejudicial to my heirs, it is therefore my will and pleasure that (by virtue of the power and authority granted to me by law) the inventories, appraisements and all other proceedings concerning my Estate, shall be done and executed, extrajudicially, without the interference of the officers of the government, except only where their authority is necessary to confirm the proceedings; I do hereby nominate and appoint A. B., of ——, to preside at the taking the said inventory and appraisement jointly with my executors, and do grant them all the power and authority requisite by law for the same."*

The utility of stay laws, under any circumstances, is disputed, but in this instance the policy of Governor Miro was adopted to foster the culture of tobacco, then in its infancy, and one of the royalties of the king which brought him no inconsiderable revenue. Another object was to encourage immigration. This obstacle to the summary collection of debts would operate in this respect as a similar law of the republic of Texas has been seen to operate, and as the extraordinary

*The Spanish officials, though often not above accepting bribes, had high ideas of dignity. As late as October 21, 1803, after Louisiana had been sold by Napoleon to the United States and his pompous prefect, Laussat, was then in New Orleans exercising his short lived sway, two of them considered it incompatible with their dignity to allow their testimony to be taken by commissioners appointed by the Supreme Court of the Mississippi Territory, in a matter, too, in which they had both officially acted:

NEW ORLEANS, 21ST OCTOBER, 1803.

Theodore Stark, Esq.:

SIR—As soon as we heard that the dedimus directed by the Superior Court of the Mississippi Territory, under date of the 23d of August, past, to Mr. Hulings and to us, was arrived, for the purpose of administering certain interrogatories thereto annext, to Don Andres Lopez Armesto, and Don Carlos Trudeau, in a suit depending between Abner Green and Thomas Hutchins, Mr. Mather called on Mr. Hulings, to whom the documents were addrest, and asked him whether he intended to act in the matter? And on his declining we were disposed, as far as we could, to carry the request of the Court into execution. The first step to be taken, seemed to be to enquire whether we might be permitted to act in virtue of the dedimus. In consequence, we yesterday waited on the Secretary of the Colony, Don Andres Lopez Armesto, to enquire in what manner we might best execute the intentions of the Court, without giving umbrage to the government under which we live.

Don Andres exprest his readiness to give his testimony, but wished to do it in a manner that should not affect his dignity as a public officer. After much conversation we left him with small hopes of success in the business.

It having, however, been intimated to us that many difficulties might be removed by another application, we waited on him again this day, and begged to know in what manner his testimony, and that of Don Carlos Trudeau, might be obtained. He answered that if we thought proper to deliver the interrogatories to a Spanish notary, he would allow the said notary to wait upon him with them, and would give in his answers to them, but that the idea of our acting under the dedimus, of administering the interrogatories, or of being in any wise concerned in taking his answers, was totally inadmissible, and what the Spanish Government would not allow. The same objections, he said too, existed against our procuring the testimony of Don Carlos Trudeau, [Surveyor of the Colony.]

Under these circumstances, it appearing quite impossible for us to execute the request of your Court, for which we have much respect, we now return you enclosed the writ of dedimus, together with the interrogatories, and have the honor to be, sir, Your most obedient servants,

JAMES MATHER,
EVAN JONES.

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exemption and homestead laws of that State, are now operating. The following decree of Governor Miro was prompted by the same motive:

"It is declared that what is called 'lawful interest,' in the stipulations between the inhabitants of Natchez and their creditors, is to be understood at the rate of five per centum only, and the same, by any delay in the payment thereof, shall not be converted into principal, and interest be paid upon interest; because that would be manifest usury. The accounts of the said inhabitants shall be settled upon this principle, abating such as have been previously settled at a higher rate than is here prescribed. And for the due performance of this provision the parties interested are to be furnished with authenticated transcripts hereof, on application."

ESTEVAN MIRO,
Governor-General, Etc., Etc.

NICHOLAS MARIA VIDAL,
Secretary.

This decree was, undoubtedly, prompted by the strongly written memorial, drawn up by Colonel Hutchins and numerously signed by the planters of the Natchez.* And from the merits of the question discussed, it gives an insight into the industries and values of those times:

1792.]

To his Excellency Don Manuel Gayoso de Lemos, Governor, Etc., Etc.:

We, the planters of the Natchez district, humbly approach your Excellency, praying to report our distressed condition. The accounts against us, laid before your Excellency by the merchants, shew that we are deeply involved. How this came about, and by what means we can be relieved, is the object of this memorial.

The King caused a proclamation to be issued that, for a limited time, he would receive all the tobacco we could produce at ten silver dollars per hundred pounds. In going into this culture, we had to provide the necessary implements, and the charges thereon were enormous. Wrought iron implements were charged at the rate of six reals a pound. Salt fifteen dollars, often eighteen and twenty dollars a barrel. Osnaburgs, needful in shaping our tobacco into carrots, were charged at six reals but more generally at one dollar a yard. And so with all articles indispensable to the planters.

Most of our lands were uncleared. Few of us possessed much stock. When our crops fell short many of us had no other resources. The few that had open and well stocked farms had this advantage that, when their tobacco failed, they could sell their corn at one dollar a bushel, pork at ten dollars per hundred pounds, and beef at six dollars and a quarter.

When the King declined taking any more tobacco, the merchants combined against us, and by agreeing upon a tariff of low prices, have so reduced the value of all descriptions of produce, that it now takes, exclusive of interest, one hundred per cent. more of the same produce to pay the same debts that it did four years ago.

The merchants last year gave notice that they would take corn at half a dollar per pushel, beef at four dollars per hundred and cotton at twenty-five dollars per hundred, in payment of debts. The first of those articles the Government bought from them at the same price, in cash. The army contractors took the beef and paid cash; and cotton served as a remittance to Europe and left them a profit of fifteen to twenty-five per cent. On those who paid them in indigo, they made still greater profits. We are now informed, that while they will not abate their charges for merchandise, they expect to have their debts paid in silver dollars. They encouraged us to go into the culture of indigo, cotton, tobacco and corn, and after all the expense of preparation, they decline to take our produce unless they regulate the price.

We verily believe such conduct has deterred and will deter many worthy

*MS. papers of Colonel Hutchins.

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and respectable persons from settling in this favored country. The mildness of government—the equity of the laws—their impartial administration—no taxes imposed—the climate and soil so happily blended for the cultivation of both northern and southern products—would bring thousands to His Majesty's province, but for this iniquitous combination against the planters.

If these men would offer equitable prices, and abide by what they offer, industry would revive and much wealth would pour into the district. But unless this change be effected matters will drift from bad to worse, and the time is not very far distant *when the planter must destroy the merchant, or the merchant must destroy the planter."* *

NATCHEZ, December 21st, 1792.

Lands were obtained with little difficulty or expense. The immigrant made his selection of any unoccupied parcel, and presented a written request for an order of survey. If no obstacle intervened, the governor issued the order, and on the return of the plat and the payment of very moderate fees for surveying, the grant issued. Many settled under the order of survey merely, if the survey could not be immediately made. The earliest Spanish order of survey in the Natchez district, is dated April 20th, 1784, and the latest September 1st, 1795.

Tobacco was the first crop for export grown in the Natchez district. It yielded from fifteen hundred pounds to two thousand per acre; was usually packed in hogsheads of from six hundred to eight hundred pounds, or shaped in carrots, like the Perique of the present day, and sold to the king at ten dollars per cwt., payable in Spanish dollars. But the visit of Gen. Wilkinson to Gov. Miro, in 1787, introduced Kentucky and Tennessee tobacco into the market, on peculiarly favorable terms, and the Natchez planters suffered from this arrangement. They gradually turned their attention to indigo, and realized from one dollar and a half to two dollars and a half per pound. It was considered a profitable business until 1795, when it was generally abandoned, owing to the depredations of an insect that devoured the leaves and buds, and sapped the juices of the plant. The yield was consequently greatly reduced and the quality deteriorated. The last crop made by Col. Hutchins, in 1794, only realized in New Orleans one dollar per pound.

They next turned their attention to cotton, the seed having been procured from Georgia and Jamaica. It was a black seed of fine fibre and good staple, and was the only variety planted in this quarter

*The merchants, in response, put forth the following circular:

Whereas, A number of the inhabitants of this district who, toward the latter part of 1771, solicited and obtained a term of from three to five years for the payment of their indebtedness, promising to pay annually one-third thereof. But whether owing to misfortunes, or other causes, they have generally failed in complying with this engagement, and have, in many instances, cancelled no part of their indebtness. Now this is to advertise all such and to invite them to come in either to Mr. Alexander Moore, on his plantation; or to Mr. Peter Walker at the landing, on any day between this and the 1st February next, and give in a statement of their affairs. It will only be in extreme cases that coercion will be resorted to. It is not the design of the creditors to distress or ruin any honest, industrious debtor. As a number have complained that they had no encouragement to work, not knowing what values would be allowed them for their crops by their creditors, we now inform all such that the following prices will be allowed for produce now delivered and for the ensuing crop, the articles to be delivered at the landing:

Indigo, the highest price given in New Orleans; Cotton, $4 per hundred-weight, in the seed, or $25 clean; Pork, $5 per hundred-weight; Beef, $4; Corn, four reals per bushels.

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until 1811, when the *Rot* appeared, and in a year or two became very destructive, often destroying half or more of the crop.*

This alarming visitation disappeared with the introduction of a green seed variety from the Cumberland, an inferior short staple, coarse-wooled cotton, but which was almost entirely exempt from rot. Subsequently, what was long known as the Petit Gulf seed were introduced, it was commonly said from *Mexico*, by Dr. Rush Nutt,† a distinguished planter and scientist. This variety was very prolific, with a long, fine and strong staple, and free from rot. To this small importation, improved by good culture and careful selection, may be traced all the numerous varieties of fancy and improved seed since advertised. All hybrids that cannot trace back to the original Petit Gulf, are equivocal. The exact locality whence that seed was obtained is unknown. Dr. Nutt had traveled extensively in cotton producing countries, and brought home with him many varieties which were carefully tested, but he found only one that "filled the bill." Whether this seed had been picked up by him in his travels, or had been given to him, as is generally believed, by some passing wayfarer, cannot now be ascertained. The characteristics of the new variety were a vigorous stalk, with short jointed limbs branching out near the ground, numerous and large bolls, strong and fine staple, easily picked, yielding more than any other cotton, and not subject to rot. The original seed were large, white and wooly. It was called the Petit Gulf seed because first planted in the rich cane hills of that locality, once so renowned for the production of cotton, and for its skillful and opulent planters. The demand for this seed be

*November 2d, 1818, Judge Shields writes Mr. Poindexter from Natchez:

"The rot has been so destructive in Wilkinson and below, that half crops will not be made, nothwithstanding the fine season we have had for picking. The level lands around Bayou Sara have suffered most."

†Dr. Rush Nutt, a native of Northumberland county, Virginia, settled in the old town of Greenville, Jefferson county, in 1805, and soon became a very successful practitioner. He there married a daughter of Judge Ker, and afterwards removed to the cane hills in the rear of Petit Gulf, and devoted himself to the planting of cotton. In this pursuit, he has had no superior. He studied the cotton gin, and improved it until it reached, in his hands, a perfection beyond which it has not advanced. He simply took the imperfect Whitney gin and improved it to its present state. He made numberless experiments with the grates, saws and brushes, and the adjustment of the several parts for moting; all attended with much study, labor and expense. He was the first to attach the long flues to the gin-stand with grated floors, to separate the dust and cut fiber or waste cotton from the marketable portion. He was the first to perceive the advantage of regular motion for the gin, so as the better to detach the motes or false seed. And with this object was the first to substitute, in 1830, the steam engine for horse power. He contracted with Mr. David Longacre for an engine to drive two gins, at a cost of twelve hundred dollars. It was made in Pittsburg, and was in operation as late as 1860. This was the first steam power ever used in the ginning of cotton. Mr. Alexander, an enterprising planter on Lake Concordia, was the next to apply it, and the venerable Job Routh, on his plantations on Lake St. Joseph, the third. Until the civil war broke out the demand for these steam powers for the cotton planters created a new industry, and a rich source of profit for the northern and western foundries.

In the culture of the plant and its improvement by a careful selection of seed; in the introduction of the field pea as a fertilizer, and the plowing in (instead of burning) the corn and cotton stalks, Dr. Nutt taught the planters a most useful lesson. The late Francis Surget, of Adams county, a man of singularly acute perceptions, and the most extensive and successful planter ever known in Mississippi, was the first to introduce circular or horizontal plowing, to preserve the hill land from washing. Dr. Nutt was the second to adopt the practice, and he caused it to be executed on strictly scientific principles.

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came co-extensive with the cotton zone, and, in many instances, yielded a revenue to the producer equal to the lint. Importations have been subsequently made from Mexico, Guatemala, Egypt and other countries, but no variety introduced has proved equal to the original Petit Gulf. In the process of culture the seed of this variety had a tendency to grow smaller, and to become darker. Careful planters kept up their stock of white seed by hand picking, and the other seed were classified as the "Little Mexican," and the "Brown Mexican," retaining most of the attributes of the parent seed and commanding a good price.

The first notice of cotton in Mississippi is by Charlevoix, who states that he saw some plants at Natchez, in 1722, in the garden of M. de Noir. Bienville wrote, in 1735, that it grew well on the Mississippi. And Vaudreuil, in 1746, informed the French government that cotton had been received at New Orleans from the Illinois.* It began to be cultivated as a crop in Louisiana in 1760, from St. Domingo seed, and Maurepas, the French minister, recommended the importation of machinery from the East Indies for the separation of the seed and lint.†

In 1722, Captain Roman, of the British army, was at East Pascagoula, and saw the black seed cotton growing on the farm of Mr. Krebs, with a machine of his own invention for its conversion into lint. This was the Roller gin, and no doubt the first ever in operation in this country.‡

September 29th, 1794, John Miller, an eminent London merchant, wrote to Col. Hutchins:

"Indigo from the Natchez, of good quality, still bears a good price. But your people are beginning to make a very indifferent article. They had better continue to make it good, if but half the quantity. As to cotton, should you speculate in it, I cannot advise you to give above ten pence a pound for it, if even of a good long staple. Short staple will not answer. The best Georgia and Bahama sells here from fifteen to sixteen pence. Heavy freight and other charges from your part of the world, are much against the article in this market."

September 10th, 1795, Mr. Miller writes:

"The cotton grown by your son-in-law, Wm. Vousden, Esq., of the Natchez shipped here by Mr. David Ross, was sold for a great price, 2 s. 4 d., per pound. It was very clean and the quality excellent, almost equal to the best Georgia Sea Island. The high price was owing, in part, to the distracted state of the French West India Islands, from whence little cotton now comes. I think such cotton as Mr. Vousdens will always command here one shilling to 1 s. 4 d. a pound. More than that I would not advise you to give under any circumstances."

*All the country above the mouth of Yazoo was then called "the Illinois." The cotton referred to probably came from the Post of Arkansas, which had been early settled by the French. Within my own time that was the most northerly point whence cotton was sent to New Orleans. Mr. John H. Notrebe, a wealthy and enterprising French gentleman, established there a large plantation and erected a public gin, to stimulate the culture. The cotton shipped by him classed very high in New Orleans.

Many now living can remember when the rich lands in Washington county, Miss., were considered too far north for cotton, and Point Coupee the utmost limit to which cane could be a successful crop.

†In or about 1835, the British East India Company sent an officer to Natchez to obtain the most approved machinery and seed, and to employ a number of experts to go to India to teach them how to cultivate and handle cotton.

‡The descendants of this enterprising gentleman still own and occupy the same land at Pascagoula.

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Mr. Vousden was an Irish gentlemen of education and means, whose plantation, long known as "Cotton Fields," lay on both sides of St. Catherine, at the crossing from Washington to Natchez, beginning at the Dry or Dewitt's Bayou, and covering the Pharsalia race course, and the tract now owned by Major Rawle. His mansion stood where the house of Mr. Chotard now stands. From the name given to his plantation, he must have been among the first to introduce the cultivation of cotton for export.* His cotton was from black seed, cleaned by rollers, and little inferior to Sea Island.

Col. Daniel Clarke, Sr., writing to Colonel Hutchins, August 21st, 1795, says: "Barclay will soon have his gin sufficiently forward to essay how it will work. I have done a great deal to bring this brat into the world, and if it succeeds shall put in a claim for my share of the honor."

Whitney obtained his patent in 1794, and in 1796 David Greenleaf, a very ingenious mechanic, was constructing gins in the vicinity of Natchez. He built the first public or toll gin, on the land of Mr. Richard Curtis, at Selsertown, conducted for many years afterwards by Edmund Andrews.

In 1801, Isaac Nerson commenced the business of gin-wright on Pine Ridge, according to an entry in the ledger of Abijah Hunt & Co., merchants at Natchez.

1807. Eleazer Carver, in the same line in the town of Washington, Adams county, erected the first saw mill to supply his shop with materials. He commenced in a primitive style, but did good work. He removed to Bridgewater, Mass, and to this day his gins maintain their reputation. He improved the invention of Whitney, materially, and first indroduced the use of grates, but the improvement was, for some reason, not patented until 1838.

It was the ambition of every planter to have his own gin, but for the accomodation of the community generally, there were numerous public gins. The proprietor gave the planter a receipt specifying the amount of cotton delivered, and these receipts, by usage at first, and afterwards by law, became the paper currency of the country, and were received in payment of all dues—the only paper currency we have ever had here with a substantial basis.

May 23d, 1799, Sir Wm. Dunbar writes from Natchez to Mr. John Ross:

"We continue to cultivate cotton with very great success. It is by far the most profitable crop we have ever undertaken in this country. The climate and soil suit it exactly, and I am of opinion that the fibre, already of so fine in quality, will be still better when our lands are well cleared and the soil properly triturated. The introduction of the rag-wheel gin was fortunate indeed for this district. I have reason to think that the new gin has been greatly improved here. Our latest and best make, injure the staple little more than cards."†

Cotton was at first put up in long bags, as is still practiced with Sea Island cotton. The rude wooden box or press, worked by levers, was

*Cotton must have been grown in Tennessee as far back as 1796. The Legislature of the following year authorized the making of the Great Seal of the State, on which the cotton plant appears, as one of the symbols of its industry.

†These improvements were chiefly due to Mr. Greenleaf, a mechanic of great ingenuity, and to his foreman, Mr. Wm. Hazlett, well known as a gin-wright for many years afterward, as was his son the late John Hazlett, all of Adams county.

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next employed. The first screw press was made in Philadelphia for Sir Wm. Dunbar, in 1801, after a model sent by him, in 1799, to Mr. John Ross. Its cost was over $1000. On its receipt he wrote to his correspondent: "I shall endeaver to indemnify myself for the cost by making *cotton seed oil.* It will probably be of a grade between the drying and fat oils, resembling that made from linseed in color and tenacity, but less drying. Where shall a market be found for such an oil?" This is the first suggestion of that product which has now become a great article of commerce, or indeed of utilizing cotton seed at all. At that period it was not dreamed of as a fertilizer, nor fed, in any shape, to stock. It was usually burnt or hauled to a strong enclosure, at a remote part of the farm, to decompose, and was considered of no use whatever, and really a nuisance.

Negro labor was considered very desirable in the production of tobacco, indigo and cotton. The traffic was looked upon as not only proper but laudable. In 1799, Sir Wm. Dunbar writes to his partner in Philadelphia: "We require more slaves. A well managed gang of negroes can cultivate fifty per cent. more cotton than they will be able to pick from the fields, and the loss from the deterioration of the staple, by exposure after Christmas, is very great. We are now prohibited from importing negroes, except from the United States, and their value has enhanced."

In 1800 he wrote to David Ross, a well known capitalist of Richmond, Virginia:

"Negroes and particularly tradesmen are in demand here. Ordinary men are worth $500 cash, women $400 and upwards. If cotton would be accepted in payment, at one year, the figures would be larger. Cotton is now worth here sixteen to eighteen cents. The best season to arrive here with negroes, to command a good and ready sale, is in February or March, to be in time for the new crop, or from the latter part August to the 15th September, when we are gathering the cotton and require extra hands.

The price of negroes will fluctuate with the value to be derived from their labor. Formerly, when we had frequent communication with the West Indies, negroes sold for from $250 to $300, on one year's credit. Now the sugar planters below are giving from $800 to $1000, one year's credit, for a prime fellow known in the country. At Natchez $600 cash for a man of established character is the maximum, and $500 for a fellow not known."*

"With regard to the condition of slaves here," continues Sir William, "there is no country where they are better treated. They are supplied with winter and summer clothing of good materials, heavy blankets, and hats and shoes. This is a fine country for stock, and it is easy to ration our hands with plenty of pork and beef. They are often allowed to raise hogs for themselves, and every thrifty slave has his pig pen and poultry house. They have as much bread, and usually milk and vegetables, as they wish, and each family is allowed a lot of ground and the use of a team, for melons, potatoes, etc. In the cotton picking season all that they gather over the usual task of seventy-five or eighty pounds a day, they are rewarded for.†

*New Orleans, March 1st, 1786, Received of Wm. Vousden, Esq., $1612, 4 reals, for four new negro men, and one woman, $312; bought for Col. Anthony Hutchins, of the Natchez. MATHER & STROTHER.

In 1818, when cotton was at twenty-eight to thirty cents, negroes commanded enormous prices. In November Judge Shields writes to Poindexter: "At Coalter's sale (in Wilkinson county) men brought from $1700 to $2000, women and children in proportion."

†This refers to the black seed cotton which grew in a small, pointed boll, and the picker seldom exceeded one hundred pounds. Of pure Sea Island seed from fifty to seventy pounds was the average picking. But with the introduction of the Petit Gulf variety the hands usually brought in an average of one hundred

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They have no night work and are provided with comfortable quarters and the unrestricted use of fuel. In lower Louisiana the life of the slave, perhaps, is not so easy. Owing to their numbers, stricter discipline is maintained, but the Spanish laws require humane treatment for them, and prescribes the holidays they are entitled to. I observe what you say of the protection afforded by the laws of Virginia to slaves, and their meliorated condition. Legislators should be deeply versed in a knowledge of the human mind, and its various springs of action, who pretend to set rules, by law, between the authority of the governors and the duty of the governed. It matters not whether we speak of the despot and his subjects, or the master and his slaves. If you break in upon the authority of the one you place arms in the hands of the other which, sooner or later, will be directed against those whom they consider their oppressors. Your late anxieties in Virginia may probably be traced to injudicious legislation. Men who do not own slaves, and who have not studied their character, are not qualified to make laws for their government. Slavery can only be defended perhaps on the principle of expediency, yet where it exists, and where they so largely outnumber the whites, you must concede almost absolute power to the master. If this principle be not admitted the alternatives are, insurrection, with all its horrors, or emancipation with all its evils!"

In these words, written seventy-eight years ago, by a Mississippi planter, well remembered for his humanity, lies the whole philosophy of slavery, as it formerly existed in this country. No form of human slavery can be justified except for crime. But if it exists, there can be no safety save in rigid discipline and absolute control. This authority was rarely abused in the South. The cruel master lost all social position, and public opinion operated more strongly than the special enactments which, in every State, provided for humane treatment of slaves. Aside from considerations of humanity, that species of property was so much capital, and the more care taken of it, the longer it lasted and the more it paid. The relation between the owner and the slaves, particularly when they had been inherited, was strictly patriarchal. "Old Massa" was not a tyrant, but the head of the family, of which they all considered themselves members. "Old Missus," was the head nurse and waiting woman of the plantation, seeing to the sick and the children and distributing clothing and comforts all around. "Young Missus" spruced up the colored "gals," taught them the fashions, and "Young Master," stood between them and the overseer, got them out of many a scrape, and took the boys with him to hunt and to fish. The planter and his family slept, amidst a hundred slaves, in perfect tranquility, without locking a door. They might occasionally grab a fowl or a pig, but the lives and the treasures of the master and his family were sacred. Slavery was forced upon the South by the French, the English and the speculators of New England; but it is due to truth and justice to say that no where on this earth did it exist in a milder form, than in the Southern States. If the afflictions we have endured are to be considered as a retribution, by what dispensation have those escaped who forced the system upon us? And have since

and fifty pounds, some of them gathering as high as three and four hundred pounds. Women were usually the best pickers. The heaviest picking on record is thus mentioned in the Aberdeen Examiner, of December 17, 1870:

"On the 15th November, 161 hands on one of Governor Alcorn's plantations in Coahoma county, picked 53,644 pounds cotton, or an average of over 400 pounds to the hand. The Friar's Point Delta (published within a few miles of the plantation) gives the name of each hand, and the weights respectively. Two picked each over 1100. Two over 900. Five between 600 and 800. Ten between 500 and 600. Twenty-three 400 and 500. Forty-five an average of 400. Nearly one-third of these hands were women."

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robbed us of what they sold? If slavery was a crime—and this is not denied—what part of the responsibility should they bear who introduced it in the South, and did not hesitate to appropriate as many of its benefits as they could lay their hands on? Their merchants made colossal fortunes by the importation and sale of slaves, and then by handling the rice, tobacco, cotton and sugar they produced. They placed their capital in all the ports of the South to deal in slave labor products, and to supply the master with luxuries to be paid for by the sweat of the negro. Their very churches were built, their foreign missions were supported, by contributions from Southern slave holders. They sent down their college graduates, by whole classes, to be paid fat salaries, as tutors and preachers, out of slave grown crops, and to marry at the first opportunity, Southern women with gangs of negroes for their dowry. If slavery was a national curse, the North must carry the principal burden of it. They certainly are morally responsible for its introduction, for the profits they made out of it, and for the subsequent spoliation. This unadjusted account stands against them in the court of conscience, and as no claim for indemnity has been brought forward by the sufferers, it should secure for us, at least, fair dealing and kindness—the fair dealing and kindness that the opulent debtor owes to the impoverished and forbearing creditor.

On the North, notwithstanding all denials, special pleading and white washing, lies the sin of having forced slave labor upon an unwilling people. They ingrafted it in the federal constitution, thus nationalizing its character and guaranteeing its stability. They made more money out of it than the South made. And they only discovered the sin when, to secure political supremacy for their section, it became necessary to emancipate the slaves. It had become deeply grafted into our system, political and social. It had been sanctioned and supported by the constitution, by statute and by the highest judicial decisions. Millions on millions had been invested in it as property, and vast credits, at home and abroad, had been established upon it. But regardless of these solemn sanctions, and of these great commercial arrangements, they destroyed the institution by violence, and left the country paralyzed by the shock. This was done vindictively, but has been presented to the world as a great act of humanity. Their claim to this merit would be stronger if their capitalists, who coined millions out of slave-grown products, would invest a portion of it for the benefit of those whom they have robbed, and those they have emancipated, and left to struggle for subsistence. Their treatment of the one class has been oppressive and tyrannical, and with regard to the other, has been a sham and a fraud. The moral effect has been to give to both races in the South a clearer perception of their mutual interests and relations, and they are now running in parallel grooves, with satisfactory speed, and with no danger of collision.* Our Northern brethren have their consciences and, no doubt,

*The following correspondence between Governor Alcorn and the Hon. Ambrose Henderson, will illustrate this point and deserves to be perpetuated. It does honor to the Governor, to the noble-hearted Representative, and the recipient of the Judgeship. I will only add that Col. Henderson filled the office ably and satisfactorily, and that he now holds the appointment of Collector of Customs for the Pearl River and Sea-Shore District, and is universally esteemed:

To the Senate:

GENTLEMEN—I nominate and appoint W. G. Henderson, Judge of the Chancery

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feel, in many instances, the cruelty of their acts. But they are soothed and comforted by their political preachers who, after hounding on a bloody war, represent all its spoliations and enormities as special Providences, and so many passports to divine favor. The soldier may be excused for excesses, committed while under the insanity of battle. There is some plea for the politician, whose judgment is carried away by the strife of party. But what defence can be made for the ministers of the gospel, who see nothing in the mission of Jesus but the firebrand and the sword? They invoke the sanction of the Christian religion to vindicate the work they have achieved, and the evil things they still contemplate, and purpose to accomplish. They may have learned rhetoric and logic and polemics in their theological schools, but it is clear that they never learned the real nature and scope of Christianity. It never addressed itself to the social condition of man. It distinctly disclaimed all interference with it. It attacked none of the great evils, none of the gross acts of injustice, that characterized society at that period. It was, in no sense, either in its teachings or implications,

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Court of the First District, composed of the counties of Jackson, Harrison, Greene and Perry. I ask the advice and consent of the Senate.

In making this appointment I feel called on to submit to you the accompanying letter as that which, after my mind had been satisfied of the qualification of Col. Henderson for the position, has been the chief ground of my selection of that gentleman from several applicants equally well qualified.

I cannot refrain from adding, on an occasion so touching to every man of the South, that there is an elevating sense of "the good old world when labor toiled for duty, not for meet," in this spectacle of an emancipated slave consenting to sacrifice all other favorites for office, in order to concentrate the influence of his position as a worthy member of the Legislature, to bestow honor on his late master.

(Signed) J. L. ALCORN.

Executive Office, May 27, 1870.

HOUSE OF REPRESENTATIVES,
JACKSON, MISS., March 26, 1870.

To His Excellency, Gov. J. L. Alcorn:

GOVERNOR—I was a slave of Col. W. G. Henderson. Boys together as we were, he is the centre of the tenderest associations of my life. Arrived at manhood's estate, I was still intimately connected with him in the relation of his body servant. When he was wounded at Upperville, Virginia, en route for Gettysburg, he languished in the Valley of Virginia, in the hands of the Federal authorities, until it was my privilege to take him away, secretly, through the lines to his own people. The affectionate relation of our childhood having ripened into a fixed friendship in our manhood, has been invigorated still further by a mutuality of service and devotion which makes him dear to my soul.

My friend and loving master is a candidate for the office of Circuit Judge of the First District. He is a man of unblemished honor; is a lawyer of high standing at the bar, and having stood out for you boldly during the late canvass, is a good Republican.

Now, Governor, I, by the mysterious providence of God, am a member of the Legislature. I want no office, no honor, save that of standing here in my place as a duty to my race. But I believe my position gives me some claim upon the patronage you are about to dispose, and I now place, without reservation, all the credit of that claim to the account of my earnest prayer that you appoint to the Judgeship of the First District, the playmate of my boyhood, the companion of my manhood, the generous friend of my whole life—my former master, Col. W. G. Henderson.

Hoping you will grant this first and last prayer which I, as a member of this House of Representatives, make to you as Governor of Mississippi.

I have the honor to be,

Your Excellency's very humble servant,

(Signed,) AMBROSE HENDERSON.

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political and revolutionary. Christ was thoroughly conservative; not at all radical. He commanded the bondsman to obey his master; the subject to pay his tribute. "Render unto Cæsar the things that are Cæsar's." No where do we find any reference to emancipation, or "aid for bleeding Kansas." The world was not well governed at his advent, or during the entire period of his divine mission. It was an era when controversies were usually adjusted by the sword. But he preached peace. "Love thy neighbor as thyself." "Do unto others as ye would they should do unto you." He placed charity and forgiveness above all other virtues. Mahomet enjoined his followers to spread his evangel with fire and sword. But Christ recommended law and order, and obedience to the constituted authorities.

We heard the demoralizing influences of slavery sounded from all the pulpits and lecture rooms at the North, in all the journals, and by men of all parties, even many of those that, for political reasons, proposed to defend us, and did defend us until the crisis when defence was needed, and then went over to the strongest side—even those men, conceding that slavery existed by the national compact, and that there was no power to interfere with it outside the States where it was established—even those men argued that it was a sin, and a curse, and the source of general demoralization.

If there was general demoralization in the South, and slavery was the cause of it, neither of which propositions are admitted, what caused, and still causes, demoralization at the North where slavery was not recognized?

That society there is, and long has been, more or less corrupt and demoralized, we have only to refer to the columns of the daily papers of New York, Boston and Philadelphia—to their numerous trials for seduction, adultery and divorce in the highest grades of society, involving the most distinguished of the clergy and the richest of the laity—and to the platforms of their political conventions. The Republican organizations formally charge their adversaries with a want of morals, of good faith and common honesty, derived from their old pro-slavery associations. What the Democracy think of the Republicans may be seen in the following summary of the platform of the last State Convention of New York:

The Committee on Resolutions reported a series of resolutions which claim that the will of the people at the last presidential election was wickedly and foully nullified by means of the grossest frauds on the part of the returning boards, supported, if not instigated, by the party in possession of the government, and condemns the stupendous wrong and holds it up to universal execration.

Thanks the late House of Representatives for refusing to appropriate more money for the support of soldiers to be used in oppressing citizens of the South.

Declares that the present Administration's withdrawal of troops from the South and its cessation of interference with the internal affairs of the Southern States has reversed the vicious precedents of the Republican party.

Oppose all subsidies; arraigns the Republican party for neglecting to reapportion the State; pledges their nominees to reform, and as proof of their devotion to this work they point to the fruits of the illustrious administration of Governors Tilden and Robinson.

Declares that the civil service of the State has been purified, and economy and prudence introduced into every department, and calls attention to the fact that offenders against the law, defaulters in public funds, embezzling court treasurers, profligate boards of trustees, swindling contractors, and those who

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have debauched the legislative assembly and poluted justice, have been relentlessly prosecuted.

Foreign creditors, it is said, have suffered by the failure of debtors in the Southern States, to meet *ante bellum* engagements. The election of President Lincoln and his adherents divested the South of its ability to pay, by measures accomplished in violation of the constitutional covenants, and it may be assumed that morally, and probably legally, they are responsible for the indebtedness. Add to this the pillage and exactions of the government forced upon the South, by the national authority, during the process of what was styled "Reconstruction," and the account foots up millions on millions, that should be carried to the credit of the South.

The Union army was one of the bravest that the world has ever seen, and many of its noblest officers and men, fighting for their flag under the highest sentiment of duty, nevertheless felt keenly every blow they inflicted upon us. Many of their statesmen, while sanctioning coercion for the preservation of the Union, gave us their sympathy and regret, and since the surrender have given us their aid and support. But the great body of that highly educated and influential class, who profess to teach the gospel, led the van in the assault on our institutions; fomented sectional jealousies; identified slavery with national conscience, and were the first and the last to urge against us, their brethren, the avenging angel and the flaming sword! Having accomplished all they could to ruin the South, and bestowed upon us, in our desolation, not a tithe of the aid and sympathy we receive from the brave men who fought us, instead of recommending reconciliation, they are constantly throwing fuel on the sectional fires. They have converted their pulpits into rostrums, where parties, politics and even finance, are discussed; deliberate misrepresentation, fierce invective and menace substituted for the charity of the gospel, and the wildest rationalism for the old scriptural landmarks.

We, of the South, have long since forgiven our brethren of the North, and desire to cherish for them the old brotherly good will. Standing amidst our household wrecks—ever mourning our dead—impoverished and feeble—we find consolation and support in our ancient faith, and in a Christian ministry who teach, as they have ever taught, a religion of peace, resignation, forgiveness and love. This is our consolation. The wild wave of scepticism and so-called philosophy, sweeping over the North, filling the old channels with treacherous sands, is the natural sequel of a great fanaticism—the avenging Nemesis for unjust aggression!*

*Extract of a letter from Governor Claiborne to George Poindexter, dated New Orleans, March 11th, 1804:

"An adventurer, by the name of Tupper, styling himself General, has recently endeavored to inflame the public mind here, and to procure an assembly of the people, to remonstrate with Congress against the prohibition of the slave trade with foreign parts and to induce them to depute him as their agent to Congress. He will not succeed. Strange to say, this agitator is from *Boston*, but has been residing latterly in *France*, hand in glove, he says, with the Jacobins. You may, therefore, have an idea of this French-Yankee."

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CHAPTER XVIII.

MIRO, ex-commandant of the Natchez, now (1785) Governor-General of Louisiana, had become very popular with the Americans by the mildness of his administration. The immigrants to the Cumberland in Tennessee, consisting entirely of Protestants and chiefly of men who had fought with Sevier, and Shelby, and Campbell and Williams, at King's Mountain, gave to their beautiful district the name of the Spanish Governor, a compliment that goes far to discredit the prevailing impression of Spanish intolerance and oppression. Yet it is true that the progress of the American States, after the peace of 1783, occasioned the jealousy of both France and Spain, and both manifestly regretted the aid, direct and incidental, they had been induced to render us during the struggle, from their desire to humiliate Great Britain. France soon ascertained that though grateful for her assistance it would not be in her power to use the United States as a dependency, and make us a party to her system of commerce and her quarrels. And Spain dreaded the moral influence of the new republic on Louisiana and Mexico, then under her flag. The Count de Vergennes, who had advised the alliance between France and the Colonies, became alarmed at the result; and his successor wrote to the French envoy in the United States:

"It is not advisable for France to give America all the stability of which she is susceptible. She will thus acquire a degree of power which she will be too well disposed to abuse."

Strange and insidious words to follow the alliance of 1778! But from the date of that dispatch the policy of France, under all the changes that ensued, from the downfall of the Bourbons to the unexpected compulsory cession of Louisiana, was hostile to the United States. Her whole course towards us during her revolution, under the Directory and Consulship, was selfish, unjust, arrogant and domineering, and but for our weakness and want of resources after the exhaustion of the protracted war for independence, would have compelled us to appeal to arms. They sent us a minister, Genet, who came secretly commissioned to agitate, to enlist troops, to equip privateers, and to commit and subsidize our people in the interests of France, with or without the approval of our government. He landed at Charleston, and before he presented his credentials, proceeded to exercise these extraordinary powers. He commissioned armed cruisers, estab-

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lished a court of admiralty to adjudicate prizes, took steps to organize an army for the invasion of Louisiana, and commissioned numerous officers for the same. His conduct was so unprecedented and insulting that President Washington, however reluctant to quarrel with our recent ally, felt compelled to demand his recall. About the same time France having proclaimed war against Great Britain and Holland, the President, to counteract the influence at work to compromise this country in the interests of France, issued his celebrated proclamation of neutrality—next to his resignation of command, the most memorable and important act of his illustrious career, and which must be regarded as our second declaration of independence. The French government found it convenient to disclaim the assumptions of their envoy, and sent as his successor M. Fauchet, who paid more respect to diplomatic usages. But his government bitterly resented, and never forgave, the statesmanship of Washington. For years they seized our merchant vessels, confiscated their cargoes, insulted our envoys and derided our claims, threatening us all the time with their military power, complacently calculating, in the event of war, on a French party in the United States.* Washington had been violently assailed by the democrats of that day for his judicious course at that critical period, and but for which we would have drifted not only into a foreign war, but most probably into an intestine struggle, such as was then convulsing the French. The stern old patriot, John Adams, lost his popularity and his re-election, by adhering to the policy of his predecessor. Even Jefferson, conspicuous for his Anglophobia and attachment for France, found himself, during his administration, more than once on the threshhold of proposing an alliance with Great Britain, such was the ill-treatment we received from the consular government.

Genet's plan was to enlist an army in the Carolinas and Georgia, Kentucky and Tennessee, and seize Louisiana, (which then included Missouri and the posts on the Illinois, Florida and the Natchez district.) Until the proclamation of neutrality appeared, he was supposed to have the sanction of our government, and there was no difficulty in procuring volunteers. He organized his forces in South Carolina and Georgia, and had the audacity publicly to challenge the authority and even the integrity of Washington. Until he made this issue very distinctly, the war-like people of the South and West had never comprehended the case, and gave their sympathies to the French. Not posted as to the insulting conduct of that government, remembering it only as an ally, regarding it now as a sister republic in arms against a confederation of kings, they were ready to march under her banner against the Spaniards. They had long been vexed and irritated by the obstructions to the free navigation of the Mississippi, and the exactions of the authorities in New Orleans. And they were ready, nay anxious, to engage in a conflict for free trade, not suspecting for one moment the real design of Genet, which was to alienate the West from the Union and convert it and Louisiana into a French colony—a project cherished by France almost from the moment she transferred Louisiana to Spain down to its compulsory cession by Napoleon. The disposition in the West was

*Our large and just claim for spoliations, though it could not be denied, never was settled until President Jackson notified Louis Phillippe that unless it was paid or satisfactorily adjusted by a given day, he would take its value wherever he could find it.

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strongly in favor of the seizure of New Orleans. When the President officially notified the governor of Kentucky of this unlawful movement, and that four French emissaries were then in his State recruiting for the expedition, that functionary replied that he had "neither the power nor inclination to prevent the people from asserting rights necessary to their existence. And as to those who had planned the expedition he doubted whether there was any legal authority to restrain or punish them, at least before they have actually accomplished it." A transparent expression of sympathy with the enterprise, or of the deplorable weakness of an organized government! The firmness of the national authorities quashed both Genet and his expedition.*

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*The following curious paper, the original record of a proceeding before Peter Bryan Bruin, then a Spanish Alcalde or magistrate, (afterwards territorial Judge) sheds some light on Genet's expedition, and on judicial proceedings under the Spanish regime:

"JACK, alias Smart, a negro slave now in the possession of Robert Ashley, declareth that he was the property of James Moore, Esq., of Georgia; that he was hired out two or three years since by the said Moore to one Wm. Ross; that he was ill-used by said Ross and ran away, and accidentally met with Robert Ashley at Governor Rutledge's mills in South Carolina. That said Ashley persuaded him to enter his service; that he should never want for victuals and clothes, and that he would give him a horse. That he consented and came off with said Ashley to Cumberland, (now Nashville.) From Cumberland to Kentucky, and thence to the Natchez. Said Ashley changed his name from Jack to Smart. He does not know that Ashley ever saw his master Moore, since he came off with him, though he has told him he had purchased him since that time.

This declaration was taken at Wm. Brocas' this 24th January, 1795, at the Bayou Pierre, by order of Governor Gayoso, before Peter Bryan Bruin.

Questions proposed to Robert Ashley, a prisoner taken up on the 23d inst., by order of his Excellency the Governor, and his answers thereto:

1. Did you not receive an appointment from General Clarke authorizing you to raise men, and to command them when raised, with the rank of captain, at the time he declared his intentions were to invade this province, under French authority? And did you not actually recruit a number of men, under that authority?

Answer, by the prisoner: Such an appointment was proposed to me, but I declined it.

2. Did you not, on your passage down the Ohio, show to a certain Peter Tardeveau, who was a passenger with you, your commission or appointment which you had received from General Clarke, comprehending the nature and extent of your powers, as well as the pay and consideration you were to receive? And did not the said Tardeveau recommend you to destroy said instrument, as it might prove injurious should it be found on you in a Spanish province, and did you not therefore destroy it immediately?

Answer: I did show said Tardeveau the commission which had been offered me by Gen. Elisha Clarke, of Georgia, and which till then had remained in my possession, though I had never acted under it, and in my answer to General Clark declared I never would.

3. Did you not tell Mr. Tardeveau that you had recruited upwards of thirty men by virtue of that commission?

Answer: I did not.

4. In what service, and for what occasion was the regimental coat, which has been found in your possession, made and designed?

Answer: General Clark is my uncle by marriage, and he insisted (much against my inclinations) that I should wear a regimental coat which he had made for me, at the same time he offered me money to raise men and told me I was entitled, at any rate, to the privilege of wearing a uniform coat, having been once an officer in the Georgia militia. On this principle I received the coat, but refused to take any money for the purpose of raising men or having any agency in the enterprise.

5. In what capacity and in what rank was your uncle, General Clark, to have acted in the invasion, meditated against the Spanish provinces in North America?

Answer: With the rank of Major-General in the French army, being second only to Wm. Tait, Esq., of South Carolina, who was to have received the appoint-

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This was an era of anxieties both for Louisiana and the United States. Our government was content to suffer Louisiana to remain in the feeble hands of Spain, for the time being, knowing that when the pear was ripe it would fall into our lap. But we could not regard with complacency its conquest by either France or Great Britain. The firmness of Washington averted the evils of a French occupation, as planned by Genet, but this was followed by an intrigue which would probably have placed Louisiana under the British flag, and her maritime superiority over all the nations of the earth would have enabled her to hold it, while her capital and enterprise would have developed its vast commercial and industrial resources. This predominance on the ocean she had long maintained, and it had enabled her to bully Europe whenever she was in the humor for bullying, and to seize with impunity, in any quarter of the globe, whatever territory she desired to appropriate. Since the Norman conquest she had flaunted her flag on the Channel islands, almost in gun-shot of France, and defied Napoleon, at the height of his imperial power. Those beautiful islands peopled with Frenchmen, and preserving their language and habits, hang like jewels on the embroidered robe of France, naturally a part of her regalia, and yet for centuries she has not dared to touch them, fortressed, as they are, and have been, by the "wooden walls" of Britania, "whose march is on the mountain wave, whose home is on the deep." Had the lion put his claws on Louisiana at that juncture he would have held it, in all probability, at this moment.

William Blount, of a distinguished North Carolina family, an early immigrant to Tennessee, where he became Governor, and Senator in

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ment of commander-in-chief and governor-general of East and West Florida, as soon as their conquest was effected.

6. In what manner, at what time, and by what means, did you become possessed of the slave you have with you now?

Answer: About three years since I purchased him of one Ethelred Clary, as factor and agent for James Moore. Moore not being satisfied or willing to confirm the sale, I gave him (Moore) a horse, and thereby obtained his consent.

7. Have you a bill of sale or authentic record of this transaction?

Answer: I have a bill of sale signed by the party and witnessed, but not recorded, it being in Georgia sufficiently valid without being recorded, at least during the lifetime of the parties.

8. Was Peter Tardeveau (who was a passenger with you as far as the Red Banks) in any manner concerned with General Clark of Kentucky (George Rogers Clark) in the designs and preparations he was organizing against this government, either by receiving a commission, or by any other means, to your knowledge?

Answer: He was employed and received pay as an interpreter to the French Agent, who was sent by Genet to Kentucky, to encourage and forward their business. He appeared to be very sanguine, and did say, as I was told, that he had put his hand to the plough, and was determined to plough the ground.

9. Did you know the nature and tendency of Tardeveau's views in visiting the province at this time?

Answer: I did not. He told me he would proceed to New Orleans and thence to Philadelphia.

10. Were you not pursued by a party as far as Diamond Island, on the Ohio, with the design of seizing your person, on account of the negroes you had in your possession?

Answer: I did understand, when I lay at Diamond Island, that a party was coming down from the Red Banks to take me, but on what account I know not. But being conscious of not having trangressed the laws of any country, I should not have removed in the manner I did, if I had not been well informed that they were a lawless, blood-thirsty set, who were in pursuit of me.

ROBERT ASHLEY.

Before me at Bayou Pierre, January 24th, 1795.

PETER BRYAN BRUIN.

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Congress, entertaining a strong aversion for the Spaniards—bitterly resenting the restrictions they put on trade—and wearied with the temporizing policy of our government—conceived the scheme of conquering Louisiana by a Brirish army from Canada, to be supported by volunteers and Indians from the West, and by a British fleet. Gov. Blount had long been Superintendent of Indian Affairs—an important position, whose duties he had ably discharged. In restraining Indian hostilities that so often steeped the frontier settlements in blood, he ascertained the agency of the Spanish authorities, and, in common with all the inhabitants of Tennessee, desired to drive them from the province by force of arms. His correspondence, on file in the War Department, shows how often he reported the Louisiana authorities as the instigators of Indian raids and massacre, and how earnestly he urged the policy and necessity of retaliation. Why the United States wisely abstained from decided measures is well known and properly appreciated now; but at that period, in the West particularly, its policy was universally condemned as cowardly and weak, ruinous to the new settlements, and deliberately designed to cripple their development, of which the older States were jealous. The feeling of disaffection was rapidly spreading, and the majority of the people in the new settlements—men who, for the most part, had been bred up on the frontiers, little acquainted with the laws, but accustomed to the forays and rencontres of the border, and knowing no arbitrator better than the rifle, were willing and anxious to follow any bold leader to redress their wrongs, actual and supposed.

In this condition of affairs, Governor Blount, then a Senator of the United States, is said to have submitted a proposition to Mr. Liston, the British envoy at Washington, who, in turn, referred him to the cabinet in London. According to Marbois, and other authorities, his *project* was approved, and a movement of the British forces in Canada actually commenced, when a dispatch from Blount to the Prime Minister in London was intercepted and laid before President Adams, who immediately communicated it to the Senate. Mr. Liston disclaimed all knowledge of the matter, and our government considered it politic to accept the disclaimer as satisfactory. Mr. Blount being a Senator, and, as such, holding a confidential and advisory relation to the government, was expelled from that body. They afterwards sent (1798,) their sergeant-at-arms to Knoxville, to arrest and bring the accused to Philadelphia, to be impeached for treason. Blount declined to go, on the ground that he was no longer a Senator. The sergeant summoned a posse, but not a man could be found to assist, and the United States Marshal of the district was equally helpless. The officers were treated with great kindness and hospitality, but they were powerless in a community where the accused was so much beloved, and the steps he had taken had no other object, in their opinion, but to strike off the shackles the Spaniards had imposed on their lawful commerce. So far from condemning him, they conferred on him new honors. Gen. James White, Senator from the Knoxville district, resigned his seat specially to make a vacancy. Blount was elected by acclamation, and when the Legislature convened, December 3d, 1797, he was unanimously called to preside over the Senate.

The Senate of the United States, not content with his expulsion, proceeded, December 18th, 1798, to impeach him on the charge of

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"conspiring to set on foot a military expedition against the Spanish provinces of Louisiana and Florida, and of conquering the same for the king of Great Britain." The accused did not appear, but his counsel, Dallas and Ingersoll, objected to the jurisdiction of the court, as the accused was not then a Senator, and because by the constitution it is provided, "that, in all criminal prosecutions, the accused shall have a speedy and public trial by an impartial jury of the State or district wherein the crime shall have been committed."

After several replications and rejoinders, upon a direct resolution that the plea of accused should be overruled, the vote stood, ayes 11, nays 14. And on the 14th January, the impeachment was withdrawn. To the last hour of his life, Mr. Blount enjoyed the universal confidence and esteem of the patriotic people of Tennessee, who named a county after him—named one after his wife—and conferred their highest honors on his excellent brother—the war governor of Tennessee—the chief backer and supporter of Andrew Jackson in his memorable campaigns.

But for his senatorial position, which made his action indiscreet, Blount was no more guilty than Isaac Shelby, of Kentucky, Gen. George Rogers Clarke, Gen. Elijah Clarke, of Georgia, and many sterling patriots of that day, who were implicated in the movements of Genet. No more guilty than Reuben Kemper, John A. Quitman and John Henderson, of Mississippi, in more recent times. They had fought many desperate battles for their country—would die in its defense, but were willing to follow any flag against the Spaniards and the Indians.

The Spanish authorities had been greatly annoyed in 1785, by an act of the Georgia Legislature, establishing the county of Bourbon, whose boundaries were defined as follows:

Beginning at the mouth of the river Yazous where it empties into the Mississippi river, thence by a line to be drawn along the middle of the said river until it shall intersect the northernmost part of the 31° of north latitude; south by a line to be drawn due east from the determination of the line last mentioned in the latitude of 31° north of the equator as far as the lands reach which, in that district, have, at any time, been relinquished by the Indians; thence along the line of said relinquishment to the said river Yazous; thence down said river to the beginning; and the said county shall comprehend and include all the lands and waters within the said description.

The act provided for opening a land office, and disposing of the lands at not exceeding twenty-five cents per acre. Fourteen of the most influential inhabitants of the Natchez district were appointed justices of the peace, and Abner Green, Register of Probates for said county. The Governor of Georgia was authorized to administer the oaths of allegiance and office to such of the persons named as could personally attend him in council. And to commission those who should personally qualify, or any two of them, to qualify those who had not been able to attend.*

All the appointees were representative men—men of property—many of them well educated—immigrants from Virginia, South Carolina and Georgia. The list embraces gentlemen who fought under

*For the Bourbon Act and the appointments under it, and other favors, I am indebted to Col. Charles C. Jones, Jr., a distinguished lawyer and *litterateur*, of Augusta, Georgia.

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the Continental flag during the war just closed, and likewise of pronounced loyalists who would not serve against the king, but had sought new homes in these remote districts rather than take up arms against their countrymen. The Governor of Georgia, a tried patriot, made no distinction on this account, in conferring these appointments, simply choosing the most influential and best qualified men he could find, without considering political antecedents. This array of names clearly indicates the social status of the Natchez district ninety years ago. In no county of any State of this Union, can be found at this day a magistracy more competent, more dignified, and more richly endowed with personal and moral virtues.

In 1789 the Legislature of Georgia, to farther assert her claim and to induce emigration, sold 5,000,000 acres to the "South Carolina Yazoo Company," embracing what are now the central counties of Mississippi, for $65,000. To the "Virginia Yazoo Company," 7,000,000, embracing the northern counties, for $93,000. To the "Tennessee Company," 3,500,000, embracing the present northern counties of Alabama, for $46,000."

Spain claimed to own most of this territory, under her treaties with France and Great Britain, and a diplomatic tournament had been pending between her and the United States, conducted with all the formalities of "circumlocution and red tape," while the Creeks, Cherokees, Choctaws and Chickasaws looked on, interested but powerless spectators of this tri-partite controversy over their domain.

Zachariah Coxe, a determined man, in behalf of the Tennessee Company, planted an armed colony, and opened a land office on the Tennessee river, near the Muscle Shoals, but found himself between two fires—the United States authorities and the Indians. The President issued a proclamation forbidding the settlement. Little attention was paid to this, but shortly afterwards Glass, a Cherokee chief, with sixty warriors appeared, and under his threats the settlement was abandoned and the buildings burnt. Coxe and his associates were presented at the next term of the court in the Knoxville district but the grand jury refused to find a bill.

In 1797, under the second purchase from Georgia, the indomitable Coxe built a large boat at Chucky to carry his colony to the Muscle Shoals, but was prevented by Col. Thomas Butler, commanding United States forces at South West Point, Tennessee river. Governor Sevier of Tennessee wrote to Coxe to know what were his intentions, and his letter and Coxe's reply were communicated to the Legislature and referred to a select committee, who reported "that from the papers before them it appears that no expedition of a hostile nature or plan inimical to the government is contemplated."*

*We hear of this bold operator as late as 1790, still pursued by United States officials:

CONCORD HOUSE, NEAR NATCHEZ, August 13, 1798.

To Captain Commandant Guion:

Sir—I have to request that you cause Zachariah Coxe, said to be in the town of Natchez, to be immediately apprehended, and held in close custody in the fort under your command until you may receive further instructions in the case from me, or until he shall be liberated by the supreme authority of the United States, for all which this shall be your sufficient warrant.

Given under my hand and seal on the date above mentioned.

WINTHROP SARGENT, Governor.

P. S.—Mr. Coxe may receive provision from the public stores through an officer

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The South Carolina Company appointed Dr. James O'Fallon their agent with plenary powers. He went to Kentucky, and began to recruit with the view of taking forcible posesssion of the Natchez, but was suppressed by General St. Clair, under an order from the Secretary of War.*

The Spanish authorities, alarmed and harrassed by these demonstrations, determined on a counter-movement, or as they say in the prairies, to "fight fire with fire."

1792. Carondelet, a man of talents and energy, was now Governor of Louisiana. He strengthened the fortifications of New Orleans, reinforced his posts at Pensacola and Mobile, and as far up the Mississippi as New Madrid, while his government resisted the demand of the United States for the Natchez district, on the plausible plea, that it had been first conquered by Galvez, and then ceded to Spain by Great Britain. Carondelet likewise insisted that, in view of threatened irruptions from the United States, or from Canada, the possession of the district, and the forts at Natchez and Nogales, (Walnut Hills, now Vicksburg) were indispensible defences of Louisiana. He was aware that Lord Dorchester, the British Governor of Canada, had recently sent an emissary (Connoly) to Kentucky, with two propositions: 1. That they should declare themselves independent, under the protection of Great Britain. 2. That the post and city of New Orleans should be acquired for Kentucky, by purchase or by force.

Apprized of all these movements, and that in the West there was general discontent with the federal government, he commissioned one Thomas Powers, an adventurer, to visit Tennessee and Kentucky in the character of a commercial traveler, to encourage these discontents, to establish a Spanish party by pensioning influential men, and to hold out to the public an open market at New Orleans and the free navigation of the river. Powers had education, talent, audacity and tact, and was wholly unscrupulous. The history of his intrigues has been so often written, it is not deemed necessary here to repeat the details. He succeeded in finding in Kentucky a "ring" of prominent men who were willing to accept, and did accept, Spanish money. But all efforts to shake the fidelity of the people proved abortive.

The last we hear of Powers is in 1811, when he presented himself before the court martial at Frederick, Maryland, convened for the trial of Gen. James Wilkinson of the United States army. He was evidently a swift witness, drummed and drilled by the notorious Daniel Clarke, but before the veteran soldier got through with him he was gibbetted as an object of public scorn, branded with perjury and treachery; and his employer fared no better. The proofs of duplicity, of mercenary motives, of perpetual intrigue, of treachery to their friends and em-

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in whom you can confide. He must have no communication with any one but a commissioned officer."

The offense of Coxe, for which this arbitrary proceeding was adopted, was opening that land office under the authority of the State of Georgia. Mr. Coxe was arrested under the above warrant but escaped, and soon after died in New Orleans, absolutely hounded to death.

*General Wilkinson, in a letter to Philip Nolan, dated Frankfort, Ky., February 14, 1791, says: "O'Fallon is here making wonderful exertions; has engaged General Clark to command his troops, and has made extensive contracts for provisions, negroes, horses, etc. The company offered me 20,000 acres as a compliment, but I finally rejected it.—*Minor Papers.*

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ployers, of their offers to be hired as secret agents, and to serve the Spanish, French, British and American government in turns, or at the same time, were arrayed against them with overwhelming force, by the man whom they had conspired to crush.

1795. A new agitation now commenced. The companies that had purchased so extensively from Georgia, seeing the opposition made by the United States, the Indians and the Spanish authorities, failed to meet their payments, and the Legislature rescinded the agreement. Georgia felt irritated and annoyed by the incessant interference with her title, and the obstacles interposed to the settlement of her lands. And to accomplish this object and to demonstrate her confidence in her chartered rights, on the 7th February, she passed an act, by which for the sum of $5,000,000, she disposed of twenty-one million, five hundred thousand acres, to four companies, chiefly composed of her own citizens.

Anticipating, in some measure, the opposition this procedure would meet with, in the preamble of the Act, there was a resume or recapitulation of the rights of Georgia:

"That by the articles of Confederation each State was to retain its own territory. That by the treaty of 1783, commonly called the treaty of Paris, the boundaries of Georgia, and of the other States were confirmed. That they were consistent with all the former legislation of Georgia, and with the action of the convention between Georgia and South Carolina in 1787. That the State had the right of redemption and full territorial rights. That the treaty made between the President and McGillivray, was in contravention of the rights of Georgia and that the guarantees made by the President to the Indians were without authority and invalid; and that Georgia had the fee simple in and to all her lands, and would dispose of them, to individuals or companies, at her own pleasure."

Every word in this preamble is true. The first company, consisting of James Gunn, Matthew McAllister, George Walker and others, was styled the Georgia Company; and for $250,000, one-fifth cash, the remainder in nine months, in specie, United States bank notes or military warrants issued by the State in 1791, they bought the entire country now covered by Kemper, Neshoba, Leake, Madison, Yazoo and Issaquena, Washington, Holmes, Attala, Winston, Noxubee, Lowndes, Oktibbeha, Choctaw, Carroll, Sunflower, Bolivar, Tallahatchie, Yalobusha, Chickasaw and Monroe counties, in Mississippi. And Clarke, Marengo, Green, Perry, Autauga, Bibb, Shelby, Tuscaloosa, Pickens, Fayette, Jefferson, St. Clair, and portions of Blount, Walker, Marion, Wilcox, Monroe, Dallas, Sumpter and Baldwin, in Alabama.

Nicholas Long, Thomas Cumming, A. Gordon, Thomas Glasscock and others, for $155,000 bought all the territory now included in Greene, Perry, Marion, Pike, Amite, Wilkinson, Adams, Franklin, Jefferson, Copiah, Simpson, Smith, Jasper, Clarke, Lauderdale, Newton, Scott, Rankin, Hinds, Warren and Claiborne, in Mississippi. And in Washington, Sumpter and part of Greene, in Alabama.

Wade Hampton, John B. Scott and John C. Nightingale bought, for $35,000, the counties now embracing DeSoto, Marshall, Tippah, Tishomingo and part of Tunica.

Zachariah Coxe, Mathias Maher and others, for $60,000 bought what is now North Alabama, comprising the counties of Lauderdale, Lime-

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stone, Madison, Jackson, DeKalb, Cherokee, Marshall, Morgan, Lawrence, Franklin, and parts of Marion, Walker and Blount!

The bill created great excitement and recrimination while it was pending, and immediately after its approval by the Governor, all other party issues were merged, and the clamor against it, headed by Gen. James Jackson, shook the State from the sea-board to the mountains, and from the mountains to the Mississippi. Notwithstanding this clamor, the companies paid up the purchase money on the day agreed upon, and considered their title invulnerable.

When the new Legislature assembled the following year, the obnoxious act was repealed, and to mark the popular indignation, the original bill was burned on the public square with fire drawn from the skies.

This is what is generally known as the Yazoo Fraud. If it originated with the Georgia people, the people of Georgia themselves applied the corrective.

President Washington, likewise deemed it his duty to call the attention of Congress to the transaction, as one that "might deeply affect the peace and welfare of the United States," and that body directed the Attorney-General to investigate the title of Georgia.

All these proceedings directly affected the Spanish authorities of Louisiana. The State of Georgia had sold the very ground occupied by her garrisons on the Mississippi. The companies who bought would bring in thousands of colonists, with arms in their hands. The President had brought the matter before Congress, and plainly manifested a disposition to occupy the country. An agent of Georgia, General Matthews, protected by the usages of diplomacy, had arrived at Natchez, to re-assert the claim of that State. Badgered and worried at every point, Spain, proverbially dilatory, obstinate and punctilious, at length gave way, and on the 27th October, 1795, a treaty was signed at Madrid, by which it was agreed that the Southern boundary of the United States should be the line of 31° north latitude from the Mississippi to the Chattahouchee; thence down the middle of that river, to its junction with Flint; thence to the head of St. Mary's river; thence down that river to the Atlantic. That all Spanish posts north of this line should be removed within six months, and American posts and inhabitants living south of it should be removed within the same period. That the navigation of the Mississippi, through its whole length, should be free for the commerce of both nations; that both would co-operate to cultivate peace with the Indians; and that before six months joint commissioners should run out the line of boundary, under the protection of the two powers.

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CHAPTER XIX.

IN 1791, Andrew Ellicott, a Pennsylvania quaker, who had some reputation as a mathematician and astronomer, had been sent by the President to run the line between the State of Georgia and the Creek Indians. He was accompanied by James Seagrove, a foreigner, who, by some strange influence, had been appointed Superintendent of Indian Affairs on that frontier—a position of great delicacy at that juncture, demanding circumspection, forbearance and vigilance, and a thorough knowledge of the Southern people and of the characteristics of the savages. Seagrove was of an irritable and suspicious temperament, and though well educated, was profoundly ignorant of all that he ought to have known of his peculiar duties. He resided at Rock Landing, on the Georgia side of the Oconee, several years without venturing into the nation, and occupied himself in fomenting misunderstandings between Georgians and the Indians, and misrepresenting the State authorities to his employers. The Creeks would not allow Ellicott to run the line, but he remained with Seagrove, a willing and mischievous coadjutor. He had brought with him, from his prim and semi-saintly home in Pennsylvania, the bitterest hatred of the Southern slaveholder, studiously disguised under a sedate exterior, but, like the treacherous moccasin, ever ready to strike.

1795. Ellicott was ordered to Natchez to run the line on the 31° north latitude, as agreed on in the recent treaty between the United States and Spain—a specific service strictly defined; but it will be seen that he came in a state of morbid mental exaltation, with extraordinary ideas of his powers, and with the ambition to be the first governor of the new territory, to exercise its patronage, and dictate laws for its inhabitants. And that, in pursuing these ends, he usurped authority, instigated dissensions, encouraged insurrection against the existing authorities directly contrary to his instructions and the cherished policy of the United States, and adopted a line of conduct dishonest and criminal.

At Pittsburg, he hired some twenty-five woodsmen, and was furnished by the military authorities with three boats and a small escort under Lieut. McCleary. At Marietta, he called on Gen. Rufus Putnam, one of the founders of that new settlement, who had just been appointed Surveyor-General of the northwestern territory. Ellicott sent him a treatise he had recently published on surveying,

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but, though he waited twenty-four hours, the general, disgusted with his pedantry and presumption, neither returned his call nor acknowledged his pamphlet.

He was treated by the Spanish commandants at New Madrid, Chickasaw Bluff and Walnut Hills, with marked politeness and hospitality. He landed at Bayou Pierre, at the residence of Col. Bruin, who was then holding the office of alcalde or magistrate under the Spanish authorities.* Here Ellicott commenced his intrigues, and without reason, resorted to a trick which showed him to be unfit for the society of gentlemen. Representing himself as invested by the government with extensive and confidential powers, and that he was likely to encounter opposition, he induced Col. Bruin to proceed before him to Natchez, secretly, to make observations and inquiries to be communicated to him on his arrival, and with the understanding that they were to meet as strangers. When they did meet, a few days afterwards, in the parlor of Governor Gayoso, they were introduced to each other! And this Mr. Ellicott duly records as a master-piece of diplomacy! There was no occasion whatever for such contemptible masquerading. He had not been invested with diplomatic, executive or discretionary powers. He was not commissioned to enquire into the temper of the inhabitants, or to interfere with their relations with the existing or in-coming governments, or to transact any business whatever, except, in conjunction with the Spanish commissioners, to determine and define the boundary as prescribed by the recent treaty. And he was strictly enjoined—as the government enjoined all its officers, civil and military—to do no act offensive to the Spanish authorities. The United States thoroughly understood Spain and her functionaries. This injunction, constantly reiterated in the dispatches

*The father of Col. Bruin was an Irish gentleman of fortune and distinction who became implicated in the rebellion of 1756, and paid the usual penalty of confiscation and exile. The name probably originally was O'Brien. He brought with him his only son, Peter Brian O'Bruin, who, upon the breaking out of hostilities between the Colonies and Great Britain, entered the army as a lieutenant in Morgan's company of riflemen. He was present at Montgomery's assault on Quebec; was the first officer inside of the barrier, where he was badly wounded by the same discharge of grape shot that killed Gen. Montgomery, near whom he stood at the time. He was there made prisoner, and kept in rigorous confinement on a prison ship, infected with small-pox, for six months, when he was exchanged, and was soon promoted to the rank of major in the Virginia Continental line—a position he retained until the close of the war. When General Morgan, after the war, conceived the plan of an American colony at New Madrid, Major Bruin, it is probable, was one of his party. He subsequently came to Natchez, and settled as a planter near the mouth of the Bayou Pierre. He was appointed an Alcalde under the Spanish government, and when the Mississippi Territory was organized became one of the three judges. He was a man of high moral character, a devoted patriot and greatly esteemed, but on the occasion referred to was grossly deceived and bamboozled by the artful quaker.

Judge Bruin remained in office until 1810, when he resigned, and was succeeded by Judge Fitz, of North Carolina, a brother-in-law of Governor Williams. Judge Bruin resided on his plantation, Bruinsburg, near the mouth of Bayou Pierre, in Claiborne county, and there died. The name is extinct, but he has left descendants of the well-known names of Briscoe, Watson and Scott. When Aaron Burr came down the river, he landed and paid a visit to Judge Bruin, who had known him during the revolutionary war. Some attempt was made by heated partisans to implicate Judge Bruin, but no one who knew the venerable patriot tolerated the suspicion for a moment. Judge Bruin, in all probability, like many others, did not impute treasonable intentions to Burr—a point which, to this day, remains an open question. His place of residence has a historic celebrity as being the point where General Grant crossed the Mississippi and commenced his masterly march on Vicksburg.

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from the State and War Departments, indicated the policy of our government, and enabled it to accomplish peaceably what would otherwise have cost years of war and millions of money. But the inordinate vanity of Ellicott got the control of his judgment, and he assumed, from the outset, the airs of a plenipotentiary.

He arrived at Natchez, February 24th, 1797, and immediately wrote to Gov. Gayoso, in the style of an ambassador, to know when he might have the honor to present his "credentials." The courtly Spaniard, in a brief note, said he was glad to hear of his arrival. He, however, appointed no time for his reception and made no reference to his "credentials," which mortified the ambitious quaker quite as much as the snubbing he had received from General Putnam.

On the 27th, he addressed himself to the Baron de Carondelet, Governor-General of the Province, acknowledging his very hospitable reception at the several Spanish posts, and hopes—does not feel sure of it—but "*hopes* that a similar conduct will be observed on the part of the United States." How Carondelet, trained in courts and camps, must have smiled at the folly of the obscure official!

On the 29th, he pitched his tent on the bluff, displayed his astronomical instruments, and hoisted the national colors.

Ellicott, in his journal, pretends that Governor Gayoso sent him a message to take down the flag, and that armed parties were forming to cut it down, who were only deterred by his known determination to die in its defence. But the proofs are all adverse to the statement, and it will be demonstrated, in this narrative, that veracity was not one of his virtues.

There happened, at that time, to be a war party of Choctaws in Natchez, on an expedition against the Cadoes, of Red River. Ellicott fancied they meant to attack him, and he solicited the intervention of Gayoso. The Governor replied to him that the Choctaws were *en route* for a distant point; that they were old allies of the Spaniards, and seeing and not comprehending a strange flag, they supposed it meant war; but that this had been satisfactorily explained to them. That he, himself, and no intelligent Spaniard, took any exception to the flag, it being the custom, even in Spain, for the agents of other powers to display their colors. This courteous officer carried his politeness so far as to call at Ellicott's tent, and invited him to accept a room at his mansion, but the suspicious quaker smelled an intrigue, and records the rude reply: "My tent is more agreeable to me than your palace, because in it I can enjoy the independence characteristic of my government." Gayoso was proverbially good tempered, or he would have declined further intercourse with such an ill-bred man.

Ellicott had left Lieutenant McCleary at Bayou Pierre, but on the 16th March he arrived with his men, and camped at Bacon's Landing, a short distance below Natchez—the first detachment of national troops that trod our soil. From this time Ellicott poured upon Gayoso a volley of notes, remonstrances and expostulations, day after day, and often three times a day, assuming the action of a first-class diplomatist and the authority of a commanding general, until the Governor, concluding that he really had been sent to Natchez with extraordinary powers, replied, formally and respectfully to his bulletins, always concluding by referring him to his superior, Carondelet, at New Orleans.

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The most mysterious record in Ellicott's voluminous journal is as follows: "About the 20th March a gentleman arrived at Natchez who informed me that he had an important communication to make, which was for myself only. * * * * He began a panegyric on Senator Blount,* observing that the Secretary of War had consulted him (the stranger) on the propriety of sending Mr. B. as minister to France. Our opinion of Mr. Blount not coinciding, the stranger made no further communication, except that the Secretary of War was aware, before I left Philadelphia, of the difficulties I should meet with in executing the treaty. If these difficulties were known to the administration at that early period, it was certainly very improper to leave me in the dark to combat them without *having any line of conduct marked out for me to pursue.* It left it in the power of the administration to avow or disavow my proceedings"—in other words, to victimise their plenipotentiary as James K. Polk did N. P. Trist, in after years!

This remarkable story is supported by no proof, and is not credible. If the "stranger" was an emissary of Blount, Ellicott, an agent of the government, bound by duty to communicate important intelligence, would have been the last person he would have called on. If he did make the call, and was really an emissary of Blount, it implies that the so-called conspirators had their opinion that Ellicott could be used. And the quaker, by stupidly expressing his opinion of Blount just as the stranger was about to disclose the important secret, shows that he was utterly unfit for the role of diplomatist he was playing with Gayoso. The story about the Secretary of War is absurd. Ellicott received his orders from the Secretary of State, exclusively, and received through him an order from the Secretary of War for his boats, supplies and military escort. He had no correspondence with him whatever, nor had the Secretary of War anything to do with the appointment of a minister to France. Ellicott's ill-natured comment would have no importance but for the fact here admitted by him, that *he had no line of conduct marked out for him to pursue.* And why not? Simply because he was entrusted with no discretionary powers, but was sent to run a boundary and to execute that duty, and that only with strict regard to the convenience of the Spanish authorities, and to the friendly relations between the two governments.

The next paragraph will probably show that the real motive for introducing this remarkable story, was to strike a blow at two prominent citizens, who had much to do in defeating his ambitious projects. "This stranger, after remaining a few weeks in Natchez, and its vicinity, and spending some time with Anthony Hutchins, a major on the British military establishment, and with Mr. Rapalje, a refugee from New York,† who was likewise on the British establishment, went to Mobile and Pensacola, where he resided at the house of Panton, Leslie & Co., until the explosion of Blount's plans. This gentleman, whose mysterious conduct embarrassed me exceedingly, *was paid for his services,*

*Of Tennessee, accused of conspiring with the British for the invasion of Louisiana.

†An opulent planter, near Ellis' Cliffs, who had been an officer in the Royal Provincials, and emigrated to West Florida, when it was ceded to Great Britain. He married Miss Farrar of South Carolina, aunt of Capt. Benjamin Farrar of Laurel Hill, Adams county. Captain Farrar's daughter, wife of the late Dr. Wm. F. Mercer, inherited the Rapalje estates. Mr. Rapalje was connected with the DeLanceys, Livingstons and other distinguished families in New York.

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whatever they were, *by the public*." That is to say, he was a public officer.

He discovers in this stranger a comrade of Blount, then held up as a public enemy; he takes no measures to arrest him or to ask the Spanish authorities to arrest or order out of their territories a man conspiring against the United States, and against the Spaniards. He gives no warning to the inhabitants, so soon expecting to become American citizens. He permits him to remain quietly, hatching treason in the district for weeks, and merely records the incident in his private journal, with an ill-natured attack on the Secretary of War. The statement that this emissary was in the public service at the time, is not credible, and is in keeping with the habitual hatred he evinces, as will be seen hereafter, for every officer of government he came in contact with in the district.

By this time Mr. Ellicott had persuaded himself, and had impressed his convictions on a number of others, that the Spanish authorities had no intention to give up the country in compliance with the treaty. He induced many to believe that they were in danger of confiscation, arrest and deportation, and that it would be better to retire from the district to the American settlements, the nearest of which was on the Cumberland river! On the 31st March he made a formal application to Governor Gayoso, to concede them the privilege of disposing of their property, and passports to leave the district.

On the same day the Governor wrote:

"You inform me of several respectable inhabitants requesting *your* interposition, to procure for them a privilege they have always enjoyed, and which is the birth-right of the Spaniard. There is not one single example in this government of having opposed any one selling his property and leaving the country, whenever he asked for a passport, and, of course, I shall not now deny the same privilege to any one who calls for it. No one who observes the laws, is in danger of arrest. *There is but one single individual imprisoned in this entire district*, and that is upon a criminal charge. There is not a single patrol out in pursuit of anybody, nor do I find any occasion for it. But if necessary I shall employ every means in my power to repress disorder, and to keep the peace of the country, as I always have done."

Noble words, fitly spoken, by a good officer and a man of honor. The same people, into whose minds Ellicott had infused his own suspicions, had lived under the mild rule of Gayoso, and his predecessors, in peace; had enjoyed the same rights as Spanish born subjects, had received liberal grants of land, of their own selection, for merely nominal fees; had paid no taxes, rendered no military service; had been appointed to offices of trust; had been protected, on their own prayer, from the rapacity of usurers and creditors, and to stimulate their industry, had been allowed free access to the market of New Orleans, and had been paid by the King a liberal price for all the tobacco they could produce. The Catholic religion was the established faith of Spain, but she did not enforce it upon the inhabitants with as much rigor as the English enforced episcopacy in her dominions, and as the New Englanders enforced their rigid sectarian views. The immigrants to the Spanish territories came with full knowledge of the Spanish laws on this subject, and as they came voluntarily they had no right to complain. They were allowed liberty of conscience and the right to worship, in their own way, in their families. Prior to the arrival of Mr. Ellicott no discontent prevailed, and in the entire district, from the

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31° north latitude to the mouth of the Yazoo, but one man was in prison! And this in a frontier settlement, with a heterogeneous population, of conflicting races and creeds, with no restraining power but the Governor and half a dozen magistrates.* But this peaceful and prosperous community, under the teaching of Ellicott, became discontented and factious. He made frequent communications to the Secretary of State, complaining of Carondelet and Gayoso, and that they did not intend to execute the treaty, and in all these communications he traduced Colonel Hutchins and his friends. According to his own showing, the government put a low valuation on his communications and calumnies, and made no answer whatever to him.† The policy of the United States, as it had been, was then and continued to be, towards Spain, to "hasten slowly," a "masterly inactivity," allowing her to be as dilatory as she pleased, not infringing on her dignity and ceremonial, but waiting patiently for grand results.

Not so with the man who assumed to be the representative of the United States. He plunged into an angry correspondence with Carondelet and Gayoso on fifty different pretexts, and scattered broadcast discord and strife. The district was unquestionably, for the time being, and with the assent of the United States, under the jurisdiction of the Spanish authorities, *until* the boundary should be defined, and a reasonable time allowed for them to evacuate the posts. It was for the United States, and not for Mr. Ellicott, to hold them responsible for delay in carrying out the treaty, but this man, having neither civil or military authority, with no baton but his Jacob staff, talked of war, and opened a recruiting office, and began to enlist men who had sworn allegiance to the Spanish government.

1797. April 15th, Lieut. Pope, U. S. A., with his company, arrived at Walnut Hills, where the Spaniards were occupying Fort Nogales, and anchored his boats there in conformity with a notification from Governor Gayoso. The moment Ellicott heard of his arrival he wrote to him that *a rupture between the United States and Spain was impending*, that his proper post was at Natchez, and urged him to arrive at the earliest possible moment. On receiving this news, Pope, with the promptitude of a soldier, prepared to depart. The Spanish commandant protested against it, but finding the American deaf to his appeal, retired to his fort, and doubtless would have opened fire upon him, but at that critical moment an express arrived from Gayoso, withdrawing his objection to the advance of the Lieutenant and his party. Thus the extreme anxiety of Gayoso to preserve the peace, prevented the effusion of blood. Had a collision occurred, it would have postponed the running of the line indefinitely, the district would have been commercially ruined, and immigration effectually suspended. There

*These statements are made from conversations years ago with Col. Daniel Burnet, Elisha Flowers, Job Routh, Calvin Smith, Joshua Howard, Joseph Quigless Wm. Adams, Thomas Ford, Simeon Holmes, Daniel Fowler, Joseph Leonard, well known citizens, who lived under the Spanish government, and survived many years thereafter.

†Fortunately for Colonel Hutchins he had served a campaign with Colonel Pickering, the Secretary of State, in Canada, in the royal provincial army. He was an intimate friend, too, of his brother, Maj. Thomas Hutchins, of Philadelphia, geographer-general to the King, and who held the same position under Congress. In Colonel Hutchins' MS. papers there are several letters to him from Colonel Pickering, expressing confidence and friendship, and counseling patience.

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was not the most remote probability of a rupture between the two governments. If the Spanish authorities were dilatory, it was a well-established characteristic of their government. At that very moment the British, equally dilatory and indifferent, had not evacuated the forts on American territory which, by the treaty of 1781, they were bound to evacuate within six months.

Lieutenant Pope was young, impetuous and brave, anxious for military fame, but lacked discretion. He had been dispatched by General Wayne, to Fort Massac, with orders to *remain there* until advised of the evacuation of the Spanish posts, when he would receive further orders. General Wayne died on Lake Erie, in December, 1796. Pope hearing exaggerated rumors of the disturbances at Natchez, and that the United States flag was flying, but in danger, deemed it his duty to descend the river. He came without artillery, money, medicine or a surgeon, and on his arrival was generosly supplied by Gayoso, the enemy whom he had expected to fight, with clothing and medicines for his men! A few days thereafter, on the receipt of a communication from the Governor addressed to them jointly, a dispute arose between Pope and Ellicott as to who should conduct the official correspondence. Pope, recognizing Ellicott in his true capacity of surveyor, considered himself the superior. Ellicott submitted, but revenged himself by worrying the Governor with letters every day on his own account. Pope was not a man to be bullied, but on all occasions expressed his contempt for Ellicott, and that no dependence could be put on his word. Ellicott, more prudent, vented his spleen by inuendoes; and as much as he abuses the Spanish officials in his journal, he is more severe on the officials of the United States. "The difficulties we met with," says he, "were as great, if not greater, than any we met with from the Spanish officers, but as these arose from the conduct of certain citizens of the United States, some of whom did at that time, and still continue to enjoy the patronage of our government, it is possible they acted in conformity to instructions."

Ellicott's artful and persistent assumption of authority imposed on Gayoso, and on many inhabitants of the district. Remote from the seat of government, with no mails, no political influence, no advisers, citizens alternately of the British and Spanish governments, a completely isolated and helpless people, they took it for granted that a man who came with a military escort, with the flag of the United States, and who called the Spanish Governor to answer for every act he performed, must be a very great personage, invested with extraordinary powers. They were aware that the district would be delivered to the United States as soon as the line should be established, and it began to be hinted that this very officious gentleman held in his pocket the commission of Governor.* They soon discovered that the nearest road to his favor was to denounce their old friend, Governor Gayoso, under whose administration they had enjoyed many privileges, and had lived in profound peace. Educated in England, liberal and tolerant, he had dispensed an elegant hospitality end maintained social relations with all the prin-

*March 24, 1798, Mr. John B. Evans arrived with two boats from the falls of the Ohio. Came with him a Mr. Walthers, direct from Philadelphia, who reports that A. Ellicott is certain to be Governor of the Natchez.—*Private Journal of Major Isaac Guion.*

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cipal citizens. Yet, under the tutorage of Ellicott, many respectable persons began to view Gayoso as an enemy, and finally he had to abandon his mansion and take refuge in the fort, being threatened by a mob—the worst of all evils that infest the social system.*

*He resided at Concord, two miles from the fort. The house is still standing. The cornices and mantles were imported from Spain. When Gayoso was transferred to New Orleans he sold Concord to his successor, Don Stephen Minor, who lived there in very stately style, dispensing a splendid hospitality until his death. His highly respected widow, one of the most intellectual ladies of the South, for many years maintained the hospitalities of the mansion, succeeded by her accomplished son, the late Wm. J. Minor, Esq. Since the war the family have resided on their estate, Southdown, near Houma, La. No one mansion in Mississippi has so many historic memories clustering about it as the old Gayoso-Minor house, "Concord."

In Pennsylvania, whence Ellicott came, they are very familiar with this terrible scourge. They saw it in the memorable mutiny of their own regiments in 1781. In the great whisky insurrection of 1794, which for a long period defied both the State and Federal authorities.† In

†There are many in Pennsylvania, and in the South, who, doubtless, do not remember the armed resistance that the authorities of that great commonwealth made to the United States, in 1809. When her citizens read the following, showing the action of her highest civil and military authorities, they will perhaps modify their judgment of the "rebels" of the South:

GOVERNOR'S MESSAGE.

To the Senate and Houfe of Repreſentatives of the Commonwealth of Pennſylvania:

GENTLEMEN—I have received information that the fupreme court of the United States, hath ordered a peremptory mandamus to be iſſued in the ſuit of Gideon Olmſtead and others, vs. Elizabeth Sergeant and Eſther Waters, executrixes of the late Mr. Rittenhouſe, and that immediate application will be made to Richard Peters, judge of the diſtrict court of Pennſylvania, for an execution againſt the perſons and effects of the ſaid Elizabeth Sergeant and Eſther Waters; or that rather, as it is an admiralty proceeding, an attachment againſt their perſons will be the compulſory proceſs adopted on the occaſion.

By the act of the 2d of April, 1803, Mrs. Sargeant and Mrs. Waters are directed to pay a ſum of money ariſing out of the ſale of the Britiſh brig Active, captured during the late revolutionary war into the State treaſury; with the requiſition of that law the ſaid executrixes have complied. It now becomes my duty, agreeably to the proviſions of that act, to protect the property and perſon of the executrixes againſt ſuch proceſs. Painful as this duty is, I am compelled, and am now making arrangements, to call out a portion of the militia for that ſervice, that being the only means in the power of the executive. As the execution of this law may produce ſerious difficulties as it reſpects the relation of the State government with that of the United States, I have thought proper to make this communication, on which the legiſlature can act as in their wiſdom they ſhall think expedient.

SIMON SNYDER.

Lancaſter, February 27, 1809.

January 4, 1809, the United States Marshal presented himself at the residence of the parties, to execute the process. Here he found a detachment of militia, stationed there by order of the Governor, under General Bright. He had established his guard in the adjoining house, and posted a sentinel at every door. The marshal, on attempting to enter, was halted with a bayonet at his breast, and menaced with death if he proceeded. At this moment General Bright arrived and repeated the order to his sentinels. The marshal then announced his name, his office, his authority and his business, and declared his intentions to execute the orders of the Court. He addressed the troops and warned them of the penalties they were incurring. He then demanded of General Bright if he wanted time for deliberation or consultation. The prompt reply was, "No, sir, I am here to resist your proceedings." "Then," said the marshal, "in the name of the United States I command you, one and all, to disperse." General Bright responded, "In the name and by the authority of the commonwealth of Pennsylvania, I command you to resist that man." The marshal then proceeded to the house of another of the parties and was resisted in the same way.

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the dreadful riots and conflagrations of convents, churches and seminaries in Philadelphia, a few years since. In their coal districts, year after year, accompanied with the most shocking atrocities. And in the recent conflict between labor and capital, between the oppressor and the oppressed, that drenched her soil with blood, with a loss of thirty millions of property! A conflict which is inevitable; which brings home to them all the horrors of their own "irrepressible" doctrines; which is subject to frequent repetitions, and which can only be restrained and suppressed by a standing army of 50,000 men, an evil equally to be dreaded.

Massachusetts, once so pious and pragmatical, now the hot-bed of schisms, heresies and idealisms, had her experience of the mob, under the leadership of Shays, in 1786. In the last war with Great Britain, when Governor Strong and his followers, mutinied against the National Government, and meditated an alliance with the enemy then in arms against their country.* And again, when the Bostonians resisted a law of the United States and a mandate of the constitution, for the rendition of private property—a law and mandate which had just been adjudicated by the Supreme Court of the United States, and sanctioned and reinforced by a covenant, ratified with all the solemnities of legislation, which their own most illustrious statesman had earnestly recommended, and which a still more illustrious man, whom they professed to venerate, had bequeathed to the Republic as the last legacy of a memorable life. In Vermont and Connecticut, in the settlement of boundaries, they became very familiar with mobs. In New Hampshire, in 1786, a mob seized the State house, and imprisoned the Legislature, to compel an issue of shin-plasters; a game which, in after years, the United States Bank and its followers at the North, undertook to play with President Jackson, when they threatened to post a mob of fifty thousand men around the capitol, if he dared to veto the bill for the renewal of its charter!

In New York the mob spirit has often developed itself in strikes, in processions, even at theatrical entertainments, and, on a well known occasion, a general slaughter was only averted by the firmness of the the seventh regiment.

The State of Rhode Island was once at the mercy of the mob. The laws were suspended; the courts silenced. General anarchy prevailed. The whole community in arms. And the social structure helplessly stranded, with the wreckers on hand to plunder and murder. Order was only restored by federal bayonets.

What have we witnessed in Kansas a few years since? What atrocities? How much spoliation and slaughter? What defiance of and successful resistance to law? The mob, backed by the whole moral and physical power of New England, and especially by the clergy, was too strong for the government, and the disgraceful record, the "damned spot," will forever stain our national history.

California has had its mobs and massacres. And in all the great centres of capital and population, symptoms of popular discontent are manifest. Monopolies and millions make the necessaries of life scarce and dear; the laboring classes feel the pressure and revolt. Their wages reduced to the lowest minimum; their wives and chil-

*See speech of Mr. Blaine he Senate of the United States, 1878.

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dren crying for bread; compelled to obey the orders of haughty autocrats, who have no sympathy with their sufferings; down-trodden and trampled on by rings and combinations of speculators, is it surprising that they should strike? If the foot of the tyrant is on your breast, shall not your poinard clash against his ribs? Communism, unfortunately, presents itself to the desparing masses as the readiest refuge. Gatling guns and bayonets are the ramparts of the privileged. The latter, in the long run, prevail. And, as avarice never gives up its gains but to guard them, the result, if we guage the future by the past, will be the gradual growth of a great military and centralized system, which will favor the concentration of wealth, the stability of its possession, and the power and supremacy of those who amass it. Should the government itself become proprietor of the railroads, canals and telegraphs, as has been proposed, and is probable, it at once becomes a collosal power, over and above the people, the States and the Constitution.*

We have drifted from our ancient moorings, and the government of our fathers, which was strictly limited and restrained, regarding the States as the reservoirs of its sovereignty, and looking to them for counsel and approval, cannot be recognized in the government of to-day. What will it be fifty years hence? Will it become splendid, powerful, aggressive and more corrupt, controlled by its legions, and those legions the terror of the earth? Or will it, happily, under the conservative influences at the North and a recuperated South, which has been purified and instructed by its misfortunes, return to its primitive simplicity and excellence?

Adversity, which is a corrective in private life, seldom is in public affairs. A restoration, having learned nothing, forgotten nothing, brings with it soured feelings and confirmed antipathies, embittered by the insolence of triumph, thirst for revenge and greediness for plunder. And these dispositions, and not a wise policy of reconciliation, have been manifested towards the South for years after the unity of the Republic had been re-established by the sword.

Mobs in the South are but little known. It is an agricultural and pastoral region, scattered over a wide area, with no general inequalities of condition. They know little of the co-operative principle which, when properly directed, often produces useful and grand results. The prime motive power is not social and mutual, but individual. Every man pushes his own fortune and enterprises, and redresses, in a measure, his own grievances, without looking to others for help. There are no great aggregations of capital, few monopolies, no oppression of labor, and no want and miseries such as are seen in communities where a different condition of things prevails. Servitude, in

* When Scott, the so-styled "Railroad King," was applied to, by a delegation from the sufferers, for redress, he haughtily replied, "you are too late. The United States and the State by consenting to intervene, and sending us their troops, have become parties, and you must treat with them."

It was the doctrine of John Quincy Adams, that if a State called on the national government to suppress a survile insurrection and it did actually intervene, it carried with it the right of future intervention and of the suppression of slavery itself. If this logic be correct, the intervention of the United States in the railroad riots (and which the State troops had been powerless to suppress) virtually places the roads and companies under its control, whenever it chooses to exercise that tremendous power—a rapid stride towards consolidation and supremacy.

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the days of slavery, was the easiest and most paternal that ever existed. And the working man, whether white or black, is now, and was then, no where else surrounded by so many comforts and so many guarantees.

There was a mob in Baltimore, many years ago, but it was a conflict between political factions, not the antagonism of labor and capital. Her recent mob sprung from the oppression of northern capitalists, and the men who made it were the refugee miners of Pennsylvania and starving operatives from other great centres of capital.

The normal condition of the South has indeed greatly deteriorated by the war and its sequences, and it can, by no means, claim all its former characteristics, but it may be safely asserted that mobs and agrarianism will never thrive here; nor will there be the oppression and suffering that makes them.

About the 10th June, 1797, Andrew Ellicott, of *Pennsylvania*, aided by thirty or forty bush-whackers whom he had brought with him, and by a few desperadoes whom he had picked up here to subserve his unlawful designs, taught the people of Natchez how to get up a mob —the first and the last ever seen in that most law-abiding and peaceable community.

The Governor, deeply feeling the indignity offered to his authority, very properly left his residence for the fort, using every exertion to restore tranquility.

Ellicott, after stimulating this evil spirit among the inhabitants, many of whom regarded him as the organ and representative of the government, had the meanness to tamper with a large party of Choctaws who had just returned from their raid upon the Cadoes—the same Indians that frightened him soon after his arrival, and against whom he had solicited the intervention of Gayoso. He used every art to enlist them against the Spaniards.

In this State of anarchy—seeing the danger of a conflict between the Americans and the Spanish troops, when the two governments were on the best terms, many citizens spontaneously assembled at the house of Wm. Belk, and elected a Committee of Safety, consisting of Anthony Hutchins, Cato West, Bernard Lintot, Gabriel Benoist, Joseph Bernard and Wm. Ratliff.

1797. June 22d, the Committee met at Natchez and the Chairman submitted the following propositions, to be laid before Governor Gayoso, respectfully requesting their transmission to the Governor-General at New Orleans:

1. The inhabitants of the district of Natchez who, under the persuasion that they were citizens of the United States, agreeably to the treaty, assembled and embodied themselves, are not to be prosecuted or injured on that account, but to stand exonerated and acquitted.

2. The inhabitants of the district above the 31° of north latitude are not to be embodied as militia or called upon to aid in any military operation, except in case of *Indian invasion, or the suppression of riots*, during the present state of uncertainty, owing to the late treaty between his Catholic Majesty and the United States, not being yet fully carried into effect.

3. The laws of Spain in the above district shall be continued, and on all occasions to be executed with mildness and moderation; nor shall any inhabitant be transported as a prisoner out of this government on any pretext whatever. And notwithstanding the operation of the Spanish laws is here admitted yet the inhabitants personally shall be considered as neutrals, in the present state of uncertainty.

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Gov. Don Estevan Minor.

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4. The Committee engage to recommend it to their constituents, and to the utmost of their power will endeavor to preserve the peace and tranquility of the district, and the due execution of justice."

To which the following response was immediately made:

"Being always desirous of promoting the public good, we do join in the same sentiment with the Committee, and accede to their four stipulations, agreed upon for the purpose of re-establishing the peace and tranquility of the district; and that it may be constant and notorious, I sign the present under the seal of my arms and countersigned by the Secretary of this government, at Natchez, June 22, 1797.

MANUEL GAYOSO DE LEMOS,
Brigadier in the Royal Armies, Governor, Military and Political, of the Natchez and its Defences.

JOSEPH VIDAL, Secretary.

These proceedings were sent to the Baron de Carondelet, by the hand of Mr. Benoist, for his consideration, and he promptly returned his approval.

July, 1797. This restored the public tranquility, and Governor Gayoso returned to his usual residence. About this time Carondelet being promoted to the government of Quito, Gayosa succeeded him as Governor-General of Louisiana, leaving Don Steven Minor, who had long been in the Spanish service, as Governor of the Natchez district.

One of the last official acts of Governor Gayoso at Natchez was honorable to him and to the Committee that suggested it:

"*To Don Manuel Gayoso de Lemos, Brigadier in the Royal Armies, Etc., Etc.:*

We, the underwritten, a committee appointed by the inhabitants of this district, recommend to your Excellency that the inhabitants, in case they have reason to be dissatisfied with their alcaldes now in office, shall be at liberty to assemble and nominate three persons, one of whom your Excellency will be pleased to put in commission.

We likewise recommend it to your Excellency, to quiet the minds of the people, that you do consent that all proceedings on criminal process or charges be inquired into and acted upon by the alcaldes of the district where such crimes and misdemeanors have been committed. And that the magistrates be authorized to summon assistants to apprehend criminals and disturbers of the peace.

Natchez, June 22, 1797.

A. HUTCHINS,
BERNARD LINTOT,
ISAAC GAILLARD,
GABRIEL BENOIST,
JOSEPH BERNARD,
WM. RATLIFF.

Which the Governor answered as follows:

"By these presents I declare that, whenever it shall be found necessary, the inhabitants of each district will represent to me, through one of the Committee, the necessity of nominating a new alcalde, and I will issue the necessary permit to elect three of their principal men, one of whom I will appoint. Henceforth the alcaldes shall take cognizance in the first instance of all misdemeanors committed within their respective jurisdictions. If found necessary they will commit the accused to prison, and before sentence shall be pronounced will lay the case before me. In civil cases to the amount of fifty dollars they will decide, but parties may have three days within which to appeal to me, through the alcalde, who, in such cases, will submit to me the proceedings. An appeal may be had from my decision to the Governor-General of this Province in all cases exceeding one hundred dollars.

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When parties agree, in due form, to an arbitration, there is no appeal, and the alcaldes will enforce the award of the arbitrators."

These propositions were drawn up by the Committee with great skill. They stipulate immunity for the past; properly recognize the existing Spanish authority and laws for the time being; look to ulterior and speedy union with the United States; wisely guard the personal liberty of the citizen and his exemption from all military duty in the Spanish service, except to *suppress riots and repel Indian invasion*, exceptions expressly intended for Mr. Andrew Ellicott, and which he by no means relished.

He had been acting from the moment of his arrival the part of an agitator, and there is abundant evidence to show by existing MS. from his own record, and by the correspondence of officers on public service, that the delay in running the line, and the commotions that occurred, may be laid at his door.*

This Committee likewise secured a great concession from the Spanish authorities—the right substantially of choosing their own magistrates, and the trial of persons accused of crime before the local tribunals. The Committee seeing no further necessity for its continuance, and having no factions or personal objects to subserve, dissolved.

In pursuance of a request made by Ellicott, Gayoso now issued an order for the election of a Permanent Committee. Colonel Hutchins, being then over eighty years of age, declined serving on account of infirmity, and the following leading citizens were choson: Joseph Bernard, P. B. Bruin, Daniel Clarke, G. Benoist, Philander Smith, Isaac Gaillard, Roger Dixon, Frederic Kimball.

Mr. Ellicott represents that Col. Hutchins, after declining to serve on the Permanent Committee, made war upon it, attended its sitting, and declared it dissolved, and was rebuked by one of its members as "having opposed in arms the independence of the United States."†

The statement, in all its parts, is false, and even without plausibility. Col. Hutchins left North Carolina to explore the Natchez district in 1772, and in less than a year thereafter had settled permanently at the White Apple Village, twelve miles from Natchez. He was a man of marked characteristics, courageous, active, of restless and indomitable spirit, and under all the political changes that occurred in the district, and under the British, Spanish and American governments, from the period of his arrival until his death, exerted a controlling influence. On the installation of the American authorities he immediately took the oath of allegiance, and though over eighty years of age, was the acknowledged head of the Republican

*General Wilkinson, Major Guion, Lieutenant Pope, Lieutenant McCleary, Governor Matthews, agent for Georgia, and Major Thomas Freeman, American Surveyor on the line, and for many years Surveyor-General of Mississippi Territory, express this opinion of Ellicott, and Major Freeman expressly declares that he created difficulties and dissensions to delay the execution of the treaty and "make a job out of his office."

†"In this extraordinary proceeding," says Ellicott, "Col. Hutchins was seconded by some citizens of the United States, several of whom hold commissions under the government."

We do not know whom he refers to, but when we find the officers of the United States goverument supporting Col. Hutchins, the presumption is that he was right! It is quite certain that all the reforms he advocated and the measures he recommended to Congress, were adopted, Ellicott to the contrary notwithstanding.

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or Jeffersonian party, and his house the general rendezvous of its most active partisans.† His relations with the Permanent Committee were perfectly amicable. He had voted for all of them. Several of them were, and long had been, and continued to be his intimate friends. All of them were frequent guests at his house. He did not interfere, and had no desire to interfere with their functions. But he, and other influential persons, considered it right to make a bolder issue with Ellicott than the Permanent Committee seemed inclined to make. They regarded him, and his measures, as inimical to the district, present and prospective, and they desired to have a direct expression of public sentiment on that issue, with the view of carrying their complaints before the national authorities. For these reasons Col. Hutchins, and his immediate friends, recommended the election of a new Committee, of which he did not propose to be a member.

Some good citizens differed with Col. Hutchins in this matter. They believed that Mr. Ellicott represented the sentiments and wishes of the American government, and that it was their duty to support him. Col. Hutchins and his friends regarded him as a mischief-maker, hostile to the interests of the district, and misrepresenting the views of the government. And intending to expose his conduct in the proper quarter, they insisted upon and obtained an authorization for a new election, the whole matter turning on the demerits of Ellicott.

Mr. Ellicott, of course, bitterly opposed this movement, and represents Col. Hutchins as a disloyal factionist, but to rebut his own charges he records the fact, that *every man in the district, holding a commission under the United States, co-operated with Col. Hutchins and supported the movement!*

1797. On the 9th August, the following communication was addressed to Governor Minor:

"SIR: Having a firm belief that the treaty between his Catholic Majesty and the United States will be carried into effect and that the latter will assert her dominion over this district to the 31° of north latitude, it is by many of us deemed expedient to appoint an able and trusty man as Agent, to communicate with Congress on occasions. And that there may also be a Committee of Safety who may correspond with such Agent, and from time to time communicate to him the sense and will of the people. From your own observation of the numbers that appeared here yesterday, and the expression of opinion then and there made in your hearing, the wishes of the inhabitants cannot be misunderstood. And as they, from necessity, have returned to their homes, I am left to solicit your approval of an election, to be held in the town of Natchez, and in the several beats of the district, to elect such Agent and such Committee, on Saturday, the second day of September next. And that the polls be opened at 10 A. M., and not closed until sunset, under the direction of an Alcalde and one respectable citizen of the respective beats, who shall return the votes to A. Ellicott, Adam Bingaman and John Girault, Esq., who, or any two of them, shall count the same, with full powers to make scrutiny and ascertain whether such election has been fairly conducted, and their decision shall be final, and shall decide who have been elected.

SECOND CREEK, ADAMS COUNTY.

†This may certify that Colonel Anthony Hutchins has, this 15th day of October, A. D., 1798, taken and subscribed the oath of allegiance to the United States of America, as prescribed by the Governour.

In testimony of which I have undersigned my name.

WILLIAM DUNBAR,
Conservator of the Peace.

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But should the Alcaldes of any of the beats, through sickness or other cause, fail to attend at the place designated for holding said election, then that said election may be held by a citizen duly appointed or called, who shall make return as aforesaid. And that said citizens be now designated as follows:

For St. Catherine's Beat—Andrew Beall.
For Lower Second Creek—Thomas Burling.
For Upper Second Creek, including Sandy Creek—Joshua Howard.
For Homochitto—Landon Davis.
For Buffalo Creek—John Collins.
For Bayou Sara Creek—Elisha Hunter.
For Pine Ridge and Fairchild's Creek—Charles Bordman.
For Villa Gayoso and Cole's Creek—Parker Carradine.
For Bayou Pierre and Big Black—John Burnet.
For Town of Natchez—David Ferguson.

And it is desired, in order to keep the election free from all improper influences, that no Alcalde holding said election and no citizen or assistant, acting in his default, be a candidate at said election. And that no person shall be permitted to vote who is under eighteen years of age, and who is not known to be an actual resident of the beat wherein he offers to vote.

ANTHONY HUTCHINS."

On which is endorsed:

"No opposition will be made by the officers of his Catholic Majesty to any assembly, whether general or partial; of the inhabitants of this district, if conducted with decorum and good order. I do hereby grant permission for the assembly or meeting required in this address, to take place on the day appointed and in the manner recommended.

STEPHEN MINOR,
Captain in the Royal Armies, and Governor, ad interim, for the District of Natchez."

Natchez, August 16th, 1797.

There was a very general turn-out in the various beats, notwithstanding the active opposition of Ellicott, who declared that he would consider all persons who took part in it, as enemies of the United States. He induced Lieutenant Pope to believe that it was his *duty* to interpose, and then and there was set the first example of that military interference with elections, which has since been so frequent and disastrous in the South.

Lieutenant Pope issued and sent a circular to each of the citizens designated to supervise the polls, which was delivered by an orderly in uniform on the morning of the election. The following is copied from the original letter:

CAMP, September 2, 1797.

Mr. Landon Davis, Homochitto:

SIR—It is with pain I am informed that you are taking an extreme active part in opposition to the present Permanent Committee, who are making every exertion to restore peace to the country. I shall with pleasure hear of your using every exertion in your power to lull the minds of the people in your quarter. They have taken up an erroneous opinion of the principles on which they are now acting. This can't be permitted.

Your obedient servant,
PURCY SMITH POPE,
Commanding United States Troops, Natchez.

Mr. Davis was a man with a logical, well balanced mind, of great personal firmness, and he read this very luminous epistle with contempt, but it had been delivered to him at the polls by an orderly in uniform, and of course had the effect to intimidate the voters, just as we have seen them intimidated in our own times.

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Colonel Hutchins addressed the following note to Lieutenant Pope:

WHITE APPLE VILLAGE, September 6, '97.

SIR—You are perfectly aware that by due authority, the inhabitants of this district held an election on Saturday last, for the purpose of electing a Committee to draft a memorial to Congress, and an agent to represent them at the seat of government.

More voters assembled, and there would have been the largest vote ever thrown in this district but for your improper letter of interference, and it is my duty to tell you so. You awed and discouraged men as free as yourself from their right to vote, and the government never sent you here to do that. On the 12th June you issued a letter to the inhabitants, which fomented the insurrection that Ellicott had planned, a man that you personally scorn and publicly deride and yet hath allowed him to use you to your own discredit and to the injury of this district. I am persuaded that you have good intentions, but you are badly blinded. I therefore deal frankly with you, and in a friendly spirit, by informing you that, in behalf of the inhabitants who feel outraged, I shall write to your superior, Captain Guion, at the Chickasaw bluffs, who I heartily wish was here now.

Respectfully, A. HUTCHINS.

The Committee elected was Col. Thomas M. Green, Daniel Burnet, Justice King, Landon Davis, Dr. John Shaw, Anthony Hoggatt, James Stuart, Chester Ashley and Abner Green.*

The Committee of Safety adopted a trenchant memorial to Congress, representing the anxiety of the people in regard to Georgia and British land claims, the large majority holding under Spanish tenures; praying that no persons interested in land speculations should be appointed to office; asking for the privilege of electing their own officers; deprecating such a government as had been established for the Northwestern Territory as not adapted to this district; complaining of the military interference of Lieutenant Pope, and praying that Andrew Ellicott be either recalled or confined strictly to the business he was sent to do.

Colonel Hutchins with two of his friends set out to deliver this memorial to Mr. James Stuart, one of their number, who was to carry it to the Secretary of State. They lodged at the house of their friends, Mr. Parker Carradine, on Cole's Creek, and, in the morning it was ascertained that their horses had been stolen. This occasioned delay, which was prolonged by the illness of Mr. Stuart, and when finally he set out on his journey, he was attacked at night by three men, armed and masked, who forcibly took possession of his papers and carried them to Ellicott, who gave them a very welcome reception. The leader of this band was one John Lee Payne, who afterwards confessed that he had been paid two hundred dollars for the feat.

Mr. Ellicott, in his journal, says: "Mr. Payne had followed trading and swindling on the Ohio until he found it necessary to descend the

*Ellicott abuses this committee in his journal. Colonel Green was the gentleman appointed, under the Bourbon county act, Register of Probates, brother of Thomas M. Green, our second delegate to Congress—a model planter and of high character. Burnet became President of the Senate and Lieutenant Governor. Dr. Shaw (who was likewise an attorney) was a man of remarkable talents and attainments, and one of our earliest editors. Chester Ashley was a man of education, nephew of the famous Gen. Elisha Clark of Georgia. The others were all intelligent and very influential planters, the founders of large and opulent families in Mississippi—emphatically representative men.

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river," yet he did not scruple to employ this man, and to receive him in his tent, after the perpetration of this robbery.*

A copy of the memorial had fortunately been retained, and it was forthwith transmitted by Daniel Burnet, who placed it in the hands of the Secretary of State. And in tracing the history of the district, soon to become a Territory, it will be seen that the truly republican and conservative measures recommended in that memorial, were all in due time adopted, and have shaped and colored the policy of the Territory and the State.

The men who drafted and supported it, against the remonstrances of Ellicott and Pope, and in spite of the slanders and certificates transmitted to the Department of State, won the ear of Congress and the confidence of the government. Mr. Ellicott complains that when he exhibited the double dealing of the Spaniards, and the disloyalty and dangerous schemes of Colonel Hutchins and his friends, not the slightest notice was taken of his communications. The government recognized him only as an astronomer and surveyor, and regarded him as an intruder in all other matters. His slanders were so indiscriminate, and so transparently personal and vindictive, that they rebutted themselves. Some fifty pages of his journal are devoted to abuse of Colonel Hutchins. The Hon. Narsworthy Hunter, our first delegate to Congress, an educated, polished and honorable man, a native of Virginia, he accuses of swindling and forgery! † Pope, his coadjutor, and Lieutenant McCleary, the officer in command of his escort, he reports as drunkards. Major Guion, one of the most circumspect, fastidious and courtly officers in the army, he records as arbitrary, tyranical, intemperate and eager for control. He quarreled

*In February, 1798, Ellicott having carried the line as far as Pearl river, desired to visit New Orleans, to procure a boat and some supplies. He dispatched a messenger to Governor Gayoso, who sent a sloop to bring him across the lake. On his arrival at Fort St. John the Governor's barge was in waiting to bring him to the city. And he was the guest of the Governor during his stay. The Governor thus manifested his respect for the United States, choosing to forget that this same man had stirred up a peaceable and friendly community, to arm against him, and had endeavored to induce the Choctaws to do the same.

Ellicott had the meanness to accept these hospitalities though he was then traducing Gayoso in every communication to the Secretary of State, and only a few months before, when camped at Darling's Creek, he had suborned a courier and broke open a package addressed by Gayoso to one of his officers!

On this visit to New Orleans he intercepted and broke open a business letter addressed by Colonel Hutchins to John Miller & Co., his merchants in London. And these exploits, which in all civilized communities are held infamous, he records as evidence of his superior finesse.

He recites several other of these rascalities with great complacency.

†Ellicott says: "Among those who labored with the most assiduity in favor of a military government (to be established by Major Guion) was the late Mr. Hunter, who was afterwards appointed, by the influence of Colonel Hutchins, a member of Congress from the Mississippi Territory. Mr. Hunter was appointed by me in May, 1797, to carry my dispatches to the seat of government, and returned a strenuous advocate of the omnipotence of Presidential power. And pretended that he had received a commission from the United States, by which he was able to borrow a little money. *The commission was probably a forgery.*" This shameful attack on an honorable and useful citizen, then in his grave, is thus rebutted:

Extract of a letter from James McHenry, Secretary of War, to Major Isaac Guion, commanding United States troops at Natchez, dated War Office, July 27, 1797:

"Capt. Narsworthy Hunter, who carries this dispatch, is a person in whom, I believe confidence may be placed. *He has been appointed Inspector of the public stores and buildings at the posts on the east side of the Mississippi.* You will see that he is respected accordingly."

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with Major Freeman, who had been designated by the President as surveyor, and forced him to leave the service. He implicates several persons holding commissions under the United States, with Blount, and accuses them of aiding and abetting Colonel Hutchins.

Among these he includes the venerable Governor Matthews of Georgia, then on a visit to Natchez, as brave a soldier, and as true a patriot as ever lived. He transmits these calumnies to the Secretary of State, records them in his journal, and then returns to Pennsylvania, and when most of these parties are dead, and he feels himself secure from personal chastisement, and exposure, he puts them in print. He professed the most devoted friendship and admiration for General Wilkinson, in numerous notes and letters, congratulating him and the country on his arrival in the district; begs the honor of a visit at his camp; receives him with an homage that would now be called flunkeyism; and for six months previous, and in twenty-four hours after the general had left his camp, he represents him to the Secretary of State as a pensioner of Spain and a traitor to his country! And in three days after the date of this dispatch renews his friendly correspondence with the general, and begs for "the honor and pleasure of another visit."

It has been a disgusting task to unmask the duplicity of this man, and tread in the slime of his revolting slanders, but duty to the dead demanded it.

The dictatorial power claimed and exercised by Ellicott was derived entirely from his assumption of authority and the moral influence of the flag that he displayed. That flag was the symbol of the sovereignty of the Republic, and the people of this district, almost without exception, were ready to enroll themselves under it. But they soon ascertained, as we have frequently seen since, that even that flag could be used to shelter crime and perpetrate outrage.

But our citizens had the firmness to resist this inflated official, well knowing that they would be represented as enemies, but would eventually be considered the best friends of their country. There is not in history a nobler example of a people, left entirely unaided and unadvised, perseveringly resisting a corrupt official influence and struggling for free government, while they respected the existing laws and maintained public order, amidst all the uncertainties and discouragements of their condition.*

*Lieut. Pope, in a letter to Major Guion, dated Natchez, May 2d, 1797, says: "The inhabitants are anxiously awaiting a change of government, *and to a man*, are warmly attached to the United States." This was when Ellicott was representing a large, wealthy and influential portion of them enemies of the United States.

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CHAPTER XX.

AT THIS stage of affairs, the following letter was written by the Chief of the Army:

GENERAL WILKINSON'S INSTRUCTIONS TO CAPTAIN GUION.

FORT WASHINGTON, MAY 20th, 1797.

It being deemed essential that the troops of the United States should take possession of certain military posts on the Mississippi, within our territorial limits, heretofore held by the Spanish garrisons, I have thought proper to appoint you to this very honorable and important service, relying, with entire confidence, on your intrepidity, talents, zeal, patriotism and discretion.

You are to embark from this place on the 26th inst., with such party as may be assigned to you, in charge of your ordnance, stores and implements of every kind, and to proceed, without halt, to Fort Massac.* Arrived there, you will report to the commanding officer,† and deliver the orders for him which accompany these instructions. These orders are to be promptly executed, and so soon as the detachment provided for can be organized and mustered, and the additional ordnance and stores, to be taken from Massac, can be put on board, you will proceed on your voyage.

You are to sail under the flag of the United States, displayed conspicuously on your barge, and on approaching any Spanish post, on the side of Louisiana, you are to give seasonable information by a subaltern, of the object of your movement and announce your disposition to offer a salute provided you are assured it will be returned gun for gun. No objection to your further progress can justify you in halting, unless it amounts to an official prohibition in writing, covering a menace of opposition by force of arms, or a shot fired into your flotilla or across your bows.

In either case you are to drop anchor, and present to the senior officer of his Catholic Majesty nearest to you, a protest grounded on the legitimate pretensions of the United States, the law of nations and the treaty of friendship, limits and navigation between the two powers, copies of which you will transmit to the Minister of War, the Governor-General of Louisiana, and the Commander-in-Chief.

You are then either to return to Massac with your detachment, (having previously made tender to the Spanish officer of such articles as you may not be able to bring back; and should he refuse to receive and give you duplicate receipts for the same, then you are to order two of your officers to make an inventory of such articles and abandon them,) or you are to take a military position within the limits of the United States, as your judgment may direct.

*On the Ohio, in the present State of Illinois.

†Captain Z. M. Pike, afterwards Brigadier-General, killed in battle in Canada, April 29th, 1813.

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But when once posted, you are to defend your ground to the last extremity, waiting always with patience for the attack.*

It may, however, be presumed that no impediment will be thrown in your way, and that you will proceed without interruption to Wolfe river, at the head of the lower Chickasaw Bluffs, where you are to halt, and distribute the goods intended for the Chickasaws. This being done, you are to proceed to the Spanish post at the Walnut Hills, and if it shall have been evacuated, you will take possession. Should it be found in the occupation of the Spaniards, you will demand possession in the name of the United States, in conformity with the treaty. You are to leave there one company and a detachment of artillery, with sufficient armament, ammunition, tools and provisions.

You are then to drop down to the Natchez, and in the same manner take possession of the fortifications at that place. To the force that is to accompany you it is intended to add Demlar's company of artillery and the residue of Heth's company with six or seven six-pounders. Your command at Natchez will then consist of one Captain, three subalterns, one surgeon's mate, seven sergeants, seven corporals, four musicians and ninety-two privates, making, with the force at Walnut Hills, one hundred and eighty-eight combatants. With this force you are to repair and improve your works, to make them tenable against seige or assault.

You will observe, in ascending from the landing at Natchez to Fort Rosalie an elevated point upon your right, within half cannon shot of the Fort. Should you be menaced from without or within, that point must be occupied.

As opportunities offer you are to carry your inquiries towards our national boundary on the Mississippi, and ascertain whether we have any eligible ground near it for a military post.†

At Natchez, you will find yourself in an extensive, opulent and polished community, agitated by a variety of political interests and opinions. It will be your duty to conciliate all parties to the government of our country by every means in your power, avoiding, at the same time, any just cause of offense to the Spanish authorities. The occasion will call for the exertion of all your faculties, for this unfortunate people, who have no option in choosing or changing masters. The moment the Spanish dominion terminates they will find themselves without laws or magistrates, and the bonds of society being dissolved, more or less irregularities may ensue. The doubtful tenure by which they hold their lands, may become a dangerous element of agitation in the hands of the enemies of our country, and may be possibly employed to persuade them to a usurpation of the right of self-government.‡

This will suggest to you the necessity of the utmost vigilance and circumspection in your intercourse; and the exertion of all your powers to combat such conclusions, inspiring them, on the other hand, with a firm reliance on the paternal disposition of our government, as well as of its power and energy in making itself obeyed. The particular mode must be left to your discretion, but you may safely promise fair and profess much, to gain time and avert excess.

It will be your duty to abstract yourself from all personal feuds and animosities, but you are to give your unequivocal protection to the friends of our

*These instructions at this day appear humiliating and must have been galling to the pride of both Wilkinson and Guion. They were both soldiers, anxious for fame and eager for war. But Wilkinson based his instructions on orders from the Secretary of War, and they reflected the views of the President and Cabinet. We were likely to have war with France, and it was a prime object to avoid a war with Spain at the same time. This policy, long and steadily pursued, and which proved to be wise and salutary, was soon afterwards near being defeated by the mischievous intrigues of Ellicott.

†Captain Guion recommended Loftus Heights, a short distance above the 31°, and Gen. Wilkinson there built Fort Adams, and to it subsequently transferred all the troops from Walnut Hills and Natchez.

‡These were wise admonitions, founded on what had occurred in all communities under similar circumstances. But, owing to the conservative character of our early population, and their training under British laws, and the prudent counsels of the several Committees, perfect order prevailed, notwithstanding the efforts of Ellicott to bring on a conflict with the Spanish authorities.

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government and as unequivocally to discountenance those who oppose its interest. Should any foreign incendiary be discovered in the district, you will determine on the expediency of seizing or expelling him. You must impress the community with a sense of your moderation and firmness; must cautiously avoid such personal intimacies as may warp your judgment, and yet form such associations as will enable you, on an emergency, whether foreign or domestic, to call to your aid a body of zealous Americans; and it is for such a contingency you are now furnished with a supply of spare arms. The private letters I will hand you will, with respect to this object, place you on safe ground. Keep a vigilant eye on New Orleans, and the movements in that quarter.

Should Lieutenant Pope be at Massac you will give him orders. Should he have descended the river, he will be annexed to your command.

Placed in command at this important national boundary, I feel assured you will be equal to the position, and that your conduct will correspond with the dignity of the trust. The smallest default will fill me with mortification, and insure your own ruin."

1797. May 29th, nine days after the above instructions were penned, Carondelet wrote to Gen. Wilkinson, (who, since the death of Wayne, commanded the American army,) as follows:

Lieutenant-Colonel Don Carlos Dehault Delassus, commandant of the post at New Madrid, has forwarded to me your communication of the 30th April, in which you are pleased to advise him that you were preparing a detachment of troops to take possession of the fortifications at Nogales and Natchez, in conformity with the stipulations of the second article of the treaty between his Catholic Majesty and the United States, and that you gave this notice in advance to prevent any misconstruction of the movement of your troops.

"In reply, it becomes necessary I should inform your Excellency, with perfect candor, that doubts have prevailed as to how, under the treaty, the posts are to be delivered by Spain. That is to say, whether they are to be delivered with their fortifications and edifices intact, (as seems to be understood by the United States,) or razed, evacuated and abandoned, as I hold, avoiding, by this means, involving ourselves in any difficulties with the Indians who, by formal treaties, ceded to Spain a portion of their domain at Chickasaw Bluff, Nogales and Tombecbee, or Fort Tondouse, upon the express condition that *we* should construct fortifications thereon, and maintain a Spanish garrison, to defend them against their enemies.

I had resolved to wait, upon this point, instructions from Madrid, or at least from the Minister Plenipotentiary of the King, my master, at your seat of government.

I have recently been informed that the Spanish Minister has submitted to the President information of a British expedition having left Montreal with the intention of attacking the Spanish settlements of Illinois; that it had wintered on the lakes, and was to traverse the territory of the United States, to invade upper Louisiana. And that the Spanish Minister had demanded that, by virtue of the treaty, the United States should forbid any passage of troops through her territories.*

I have, therefore, in view of this menace, determined to retain the posts of Nogales and Natchez, with a view to the safety and defence of lower Louisiana, until the American government takes measures to secure us from this danger, and *until a sufficient force, commanded by an officer of rank*, shall be sent to take possession, to guarantee good order and restrain expeditions against the Indians, the ancient allies of Spain, according to the fifth article of the treaty.

I shall be ready to evacuate the posts of Natchez and Nogales on the arrival

*Evidently referring to the Blount intrigue, which doubtless, had reached the Spanish governor. Gen. Wilkinson and the Secretary of War, it will be seen in the correspondence, deny and ridicule the alleged military movement as impracticable and never contemplated. What then becomes of the criminal charge against Senator Blount of plotting to put Louisiana in the hands of the English? These peremptory disclaimers from high official quarters, if accepted, must go to his acquittal.

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of such a detachment, or as soon thereafter as the Spanish Minister and the American government shall agree as to how the posts are to be delivered.

In the meantime I have to request your excellency to suspend the advance of your troops, whose presence might possibly disturb the tranquility of the province, and the good understanding that now prevails."

Before this letter was received General Wilkinson had dispatched Capt. Isaac Guion of the Third Regiment, with a strong detachment of infantry and artillery. They set out from Fort Washington (Cincinnati), and stopped at Massac, the most advanced post of the United States, to take in some artillery. On arriving at New Madrid the Spanish commandant objected to his further progress, but after some negotiation consented to his proceeding as far as the lower Chickasaw bluff, on his pledge to go no farther until the matter should be determined by their superiors. This was the best arrangement the American Captain could make under the rigid instructions that fettered him. It was an important point gained to get among the Chickasaws, distribute the presents and conciliate their good will.* He arrived there on the 20th of July, 1797. Captain Bellechasse, commandant of the post, had abandoned and destroyed the works, and taken position at the post of Hopefield or Esperanza, on the western bank of the river.†

*To give some notion of the presents acceptable to the Indians, at that day, I quote from the invoice: 20 pairs silver armlets, 20 pairs silver wrist-bands, 10 dozen silver ear-bobs, 16 dozen silver broaches or breast-pins, 4 dozen silver hair-pins, 620 pieces white wampum, 10 pieces linen, 2500 black wampum, 272 pieces calico, 25 rifles, 25 men's saddles, bridles and housings, 2000 yards stroud, 150 blankets.

†The first fort at the Chickasaw bluff, below the mouth of Wolf river, was a stockade built by the French and called Fort Prudhomme after a Canadian hunter who accompanied La Salle down the river, and there got lost. The next by Bienville on his last expedition, called Fort Assumption. In 1795, Governor Gayoso erected there Fort Ferdinand. We have before us a letter written by him to his wife, dated Fort St. Ferdinand of the Bluffs, May 31, 1795: "Yesterday I passed from my post of Esperanza over to the Chicacha bluffs, whence I now write. I hoisted the King's flag and saluted it in the most brilliant manner from the flotilla and from the battery. It being St. Ferdinand's day (the name of my Prince) I gave the post that name. It was a pleasant day, and withal my birthday, and nothing was wanting to complete my happiness but your presence. The chiefs are to visit me to-morrow, and then I shall count the days, the hours and the moments until I can be with you.

The Spanish garrison, commanded by Captain Bellechasse, abandoned and partially destroyed Fort Ferdinand in July, 1797, hearing of the approach of Captain Guion with an American detachment.

Captain Guion landed there soon after, and erected what was first known as Fort Adams and afterward as Fort Pickering. All persons passing up or down the river were required to report at the fort and a register was duly kept as follows:

NAMES.	DATE OF ARRIVAL.	DATE OF DEPARTURE.	WHERE FROM	WHERE BOUND.	MODE OF TRAVELING.	BUSINESS AND REMARKS.
Captain Narsworthy Hunter.....	Sept. 14.	Sept. 15	Philadelphia.	Natchez.	Horseback...	With dispatches.....
Capt. Love.....	Sept. 14.	Sept. 15.	Chickasaws...	Natchez.	Horseback...	Guide to Hunter.....
Gen. Mathews.	Sept. 26.	Sept. 29.	Georgia.....	Natchez.	Pirogue	Private. .....
Judge Miller...	Sept. 26.	Sept. 29.	Connecticut..	Natchez.	.....	Private... ... ...
Mons. Mabine and wife.....	Oct. 23..	Oct. 23..	Philadelphia.	Havana.	Pirogue... ...	Private ....

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1797. August 14th, Captain Guion wrote General Wilkinson as follows:

"Owing to strong apprehensions of an attack by the Creeks on their towns, the Chickasaws did not appear here until the 10th inst. Yesterday Piamingo, the mountain leader, arrived in bad health. The Wolf's Friend preceded him two days and is here with all his people, and a very disorderly, turbulent and troublesome clan they are. Great discord prevails in this nation, owing probably to the intrigues of the Spaniards, and the want of information and energy somewhere else. General Colbert, who was here a few days since, with about one hundred of his people, manifested a very friendly disposition, and gave me permission to remove my troops and stores from the bank to the bluff where the Spanish fort recently stood, and to erect there such works as I thought fit, observing that it would be extraordinary to deny to us, who were born on the same side of the water, a privilege that had been granted to those born on the other side of it. I immediately set a party to get pickets for a temporary cover for our stores and camp, a very heavy job, for they had to be got a mile up the river Margot, (Wolf) rafted down and drawn up to the the bluff by hand. I have, however, enclosed a sexangular stockade, of which the plan is transmitted.

The Wolf's Friend, who has great influence, is by no means inclined to the United States. There is an evident coolness between him and the Mountain Leader. I know not how it will end. I shall use every exertion to reconcile these discords. I despair, however, of effecting anything with the former without using a more potent argument than words. A few hundred dollars is the best "talk" for him.

On the 12th Colonel Howard, with five galleys and about one hundred Spanish infantry, arrived from above at the post of Hopefield on the opposite bank of the Mississippi. They have been very civil and a salute has been received and returned.* Our troops are daily falling down with intermittents, the prevailing malady of this country.

The salt meats furnished by the contractor at Fort Washington, are, in a great measure unsound, and I have obtained permission from the chiefs to purchase from James Allen, a white man living in the nation, a drove of beef cattle."†

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*The Spanish troops left Hopefield, Esperanza, and started down the river September 1st.

†James Allen was a North Carolinian, well educated and of a family in easy circumstances. He came to Nashville, intending to settle there as a lawyer but from some disgust entered the Chickasaw nation, where he soon conciliated the favor of General Colbert, a half-breed chief of large fortune. Allen married his daughter Susie Colbert. Their daughter, Peggy, was very beautiful, and received numerous proposals from traders returning from New Orleans to Tennessee, and from the sons of the other Chickasaw chiefs. The United States agent in charge of the Chickasaws, Samuel Mitchell, became deeply in love with her, but she did not return it. He applied to her grandmother, and she considering it a very desirable match sent off Peggy to the agency with a string of well loaded packhorses, and ten negroes, for her dowry. Peggy was compelled to make the journey, but she persistently refused Mitchell, (saying she would never marry a drinking white man or an Indian) and after two weeks of importunity he sent her home. Just then there turned up a handsome young fellow, Simon Burney, from the neighborhood of Natchez, who loved her very deeply, and her father and herself both fearing interference by Mitchell and his friends, they were married and immediately left the Nation.—Reminiscences of John L. Swancy, (the old Natchez mail rider,) in the Gallatin, (Tenn.,) Examiner.

Capt. David Burney lived near Natchez, in early times, on the place now owned by Dr. Leggett. He was the first breeder of fast horses and game cocks in the territory and a great patron of the turf. He moved with his large family of sons and daughters to Lawrence county.

One of the grand-daughters of this James Allen, educated at Elliott mission school, and married to a Mr. McAuley, a Scotch trader in that vicinity, having in her veins the blood of the Chickasaws, Choctaws and whites, was the most beautiful woman in Mississippi. She went with her people to the West a year or two after the last treaty with the Choctaws.

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The promise made by Captain Guion to the Spanish commandant at New Madrid, although clearly within his instructions from General Wilkinson, and indispensable in view of the distribution of goods to the Chickasaws, and policy of conciliating them, was not approved by the Secretary of War, who believed that the Spaniards were only waiting the arrival of the American detachment to evacuate the forts. Captain Guion knew from his scouts that they were strengthening their works, anticipated war between the United States and France, and hoped to continue to hold the country.

The actual condition of things at Chickasaw Bluffs, and our relations with the Indians and the Spaniards, at that remote date, are shown in his letter to the Secretary of War:

FORT ADAMS, CHICKASAW BLUFFS, October 22, 1797.

"Contrary to my expectation the Mountain Leader, (Piamingo,) the King and the Wolf's Friend, with their followers, did not present themselves here, to receive their goods, until the 12th inst. Piamingo apprehended an incursion by the Creeks, and had remained at home to repel it. Wolf's Friend, who is a warm partisan of the Spaniards, and a cunning, mischievous fellow, regulated his movements by their advices, and arranged to come in about the time Spanish galleys and troops from St. Louis were to arrive at the post of Esperanza, opposite this. A supply of goods from New Orleans, for the Chickasaws, had for some time been stored at Esperanza, but this had delayed the distribution, believing that our lot was very inferior to theirs, and that the contrast would make its impression, which would be supported by the new arrival of soldiers. The Wolf's Friend had assured the commandant at Esperanza that we should not be permitted to remain. August 12th, Col. Charles Howard with one hundred men and five galleys arrived at Esperanza from St. Louis. Wolf's Friend immediately crossed over. On his return he said he wished to make a talk, and desired that his friend, Colonel Howard, should be present. I appointed the 16th to give time to have William Colbert and Piamingo present. Colonel Howard with two of his officers came over in the morning. He apologized for his visit, and said it was only to gratify Wolf's Friend, who had insisted upon it, and he hoped that when he distributed the presents at Esperanza, I would be his guest. This I promptly declined, but observed that I had no objection to his presence, as I had no secret intrigues or policy to carry out with the Indians, and should merely recommend them to preserve order among themselves and peaceful relations with both Spaniards and Americans. William Colbert, anticipating Wolf's Friend's design, opened the conference with a bold and animated talk. Addressing himself to that chief he said: 'I know your object is to expel the Americans and bring back your friends, the Spaniards. But this shall not be while I live. The works now being built here were begun with my consent. I, and my people, gave our consent and our promise, and I would like to see the man or the chief who can make that promise void. The Americans may go away if they choose to go, but they shall not be forced to go. I hear you talk of force. You will do well to count the warriors of this nation. Before you can drive the Americans, you must first kill me, and my warriors, and bury us here.'

This was followed by a brief but pointed talk from Piamingo, to the same purpose. Wolf's Friend remained moody and silent, and his Spanish friends who had come to hear a very different story, were greatly disconcerted. Next day our goods were distributed, and as they were found more liberal in quantity and more substantial and valuable than the Spanish distribution, the effect was fine.

I find at this place four white families, who came here two and three years ago. The man of most consequence is Kenneth Ferguson, a Scotchman, and agent of Panton, Leslie & Co., of Pensacola—very active in the Spanish interest. He is extensively engaged in the Indian trade, and sells at most exorbitant rates. Another of these people is Wm Mizell, a native of North Carolina. who was at Pensacola, under British protection, when it surrendered to the Spaniards. He is no friend to them, and I find him very useful as an interpreter, as he has resided sixteen years among the Chickasaws and speaks their language well."

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In a private letter to his friend Daniel Carthy, attorney-at-law, Newbern, North Carolina, written in 1806, Captain Guion gives an interesting account of his voyage and proceedings, and how he found matters on his arrival at Natchez:

1797. "Early in November, having left a sufficient garrison to protect Fort Adams, which I had just completed, I left the Chickasaw bluff and descended the river to Fort Nogales, then held by Spanish troops. Here I remained three days in my boats. I politely demanded possession in the name of the United States, and was politely refused. My hands were tied by positive orders *to do nothing to displease the Dons*, or to occasion "a rupture," or even "a complaint," so I made my bow, and took my departure for Natchez, one hundred miles below, where I found Mr. Ellicott, United States Commissioner for running the boundary line, Lieutenants Pope and McCleary and some forty or fifty men, who had been there a long time doing no good, but a great deal of harm. They had got the people, who before their arrival had dwelt together in amity, cut up into factions and very discontented.*

I found a Spanish garrison of some forty men, and two regular and one provincial officer. The late governor, Gayoso, having recently succeeded Carondelet as Governor-General of Louisiana, had transferred his headquarters to New Orleans, leaving the district of Natchez under the command of Captain Stephen Minor, a native of Pennsylvania, long in the Spanish service. I encamped on a hill just one thousand yards from the Spanish fort, and the flags of two nations waved over the same district.

1798. On the 30th March the Spanish garrison evacuated the fort, nothing having occurred since my arrival to interrupt our friendly relations.

In a short time Ellicott, and his assistants and escort, left Natchez (very much to my satisfaction and the satisfaction of the people) for a point on the river near Loftus Heights, where, it is supposed, they will find the point designated by treaty for a boundary, to-wit: the 31° north latitude. This personage has remained here, *very actively and profitably employed for himself* ever since February, 1797, sometimes exciting dissensions between private families; at others endeavoring to spread a spirit of mutiny among the troops or an insurrection among the inhabitants; and at all times closely intent on making a good job out of the commission, receiving at the rate of ten dollars a day fixed, which some days he made *twenty*."†

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*FROM CAPTAIN GUION TO LIEUTENANT POPE.

CHICKASAW BLUFFS, August 24, 1797.

"I am sorry to observe there are complaints against you for improper conduct, and in that degree as to give serious displeasure to the Spanish authorities and raise up obstacles to the execution of the treaty. You are strictly to avoid this in future. Such, I am sure, were your orders when you left Fort Massac, and I reiterated them in letter of the 4th. You must, by a change of conduct, remove any bad impressions made on Governor Gayoso."

August 29th he wrote to the Governor: "I am sorry to hear that the officer heretofore commanding the United States troops at Natchez has given to your Excellency, and to the subjects of His Catholic Majesty, and to the other inhabitants of that district, cause for discontent. This shall no longer be the case. He has received my orders, and I hope very soon to be there in person."

†When Captain Guion set out from Fort Adams, Chickasaw bluffs, for Natchez, he left Lieutenant Campbell with a detachment of artillery, in command. He found Captain Beaurgard in command of the Spanish post at Walnut Hills, with whom the usual military courtesies were exchanged. He found there two Americans, a Mr. Glass and a Mr. Parkinson, who had lately arrived from Tennessee with a Colonel Downs. Twenty miles below there was a small clearing, and a flatboat tied up from which a family had lately landed. Judge Bruin's, at the mouth of Bayou Pierre, was the next settlement.

Other troops soon followed Captian Guion and were distributed as follows:

At Fort Pickering (formerly Fort Adams) Chickasaw bluff, one company of artillery under Capt. Pierce (who subsequently died at Walnut Hills), one company infantry, under Capt. Merriwether Lewis, with Lieuts. Steele and Fero. At

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The following official correspondence, not heretofore published, elucidates this period of our history, and shows, in every line, the anxiety of our government, to obtain possession of the district without a collison with Spain:

FROM JAMES M'HENRY, SECRETARY OF WAR, TO GENERAL WILKINSON.

WAR OFFICE, June 9, 1797.

SIR—Yesterday the Secretary of State received letters from Mr. Ellicott, by which it would appear that scruples on the part of Governor Gayoso, have retarded the evacuation of the posts. These scruples or objections are: 1. That in his opinion, the forts ought to be demolished. 2. That he thought it necessary to continue his force in that quarter till the claims of Spanish subjects to lands should be adjusted by negotiation.

As to the first, our officer may be instructed to agree to the demolishing of the forts if it be insisted on. As to the second, he is authorized to assure the governor that no person shall be disturbed in his possession or property, until an opportunity has been afforded to apply to Congress, and that they may rely upon their claims being adjusted upon the most equitable principles.

It is to be presumed that, on receiving these explanations, the Spanish garrisons will be withdrawn. If, however, contrary to expectation, this should not happen, our officer is to take a secure position, but not so near them as to give any cause to the Spanish garrison to apprehend insult or injury.

Our posts in the Indian country may tend to give alarm to them, especially if pains have been previously taken to mislead or deceive them. The officer should be fully instructed, furnished with the means to counteract such practices and be on his guard against them. You may, therefore, put into his possession, to be distributed among the Choctaws, or other tribes, should he find it necessary, one of the two year's presents provided for the Chickasaws, which are now stored at Fort Washington.

The officer, when he halts at the Chickasaws, will ascertain whether they continue attached to the United States, and the condition in which the Spaniards have left the works.

You will take the most effectual steps to know, as early as possible, the result of the demand and explanation, and the position which may be assumed by our troops, in case of a refusal, and to afford them every assistance which the case may require."

FROM THE SECRETARY OF WAR TO GENERAL WILKINSON, JUNE 10TH, 1797.

"The Spanish Minister has just called on me with two letters from the Baron de Carondelet. These letters mention his dissatisfaction with Ellicott, our commissioner for running the boundary between the United States and Florida, on account of his conduct at the Natchez, as communicated to him by Gov. Gayoso. The Minister expressed his wish (and the wish of the Baron

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Walnut Hills, Major Kersey commanding, with Capts. Rickard and Wade and Lieuts. Marshall and Davidson. Natchez, three companies, Capts. Guion, Heth, Demler, (artillery), Lieuts. Bowyer, Pope, Gregg, Ensigns McCleary and Scott, Surgeon Pheifer, Quarter-Master Evans, Commissary Quin. All these troops belonged to the 1st and 3d regiments, United States infantry. August 20, 1798, Col. John F. Hamtramck, 1st U. S. I., arrived at Natchez, assumed command, and consolidated the forces at the new fort Adams, Loftus Heights, below Natchez.

Capt. Merriwether Lewis, mentioned above, a native of Albemarle county, Va., had a remarkable career. He was a man of vigorous intellect and of great energy and courage, but not a man of education. When Mr. Jefferson became President he invited Lewis to be his private secretary, retaining his rank in the army. He soon after designated him and Capt. Clarke to explore the Missouri river and its tributaries, a mission they ably executed, and their report excited unusual interest and set in motion the tide of emigration which has ever since flowed to the region they explored. Returning, subsequently, on horseback, from Natchez to Washington city, in a fit of despondency, Capt. Lewis committed suicide, at the house of a half-breed in the Choctaw territory.

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Carondelet,) that *Mr. Ellicott be confined to the duties of the commission*, and that a *discreet military man should be sent with the American troops* that were expected at the Natchez. I asked his Excellency where the American troops would take post unless the Spanish garrison withdrew from the fort. He answered that the settlement was large, and there were plenty of houses in which they could find quarters. One conclusion results from this interview, that the Spaniards have no idea of using force to prevent our troops from establishing themselves at the Natchez. The Baron de Carondelet has written to Madrid for instructions about the manner of evacuating the posts."

CAPTAIN ISAAC GUION, the officer selected for this delicate and important expedition, was a native of Weschester county, New York, of a highly respectable family of Huguenot extraction. He entered the Continental army in 1775, at a very early age, as an ensign, and was in the assault on Quebec, December 31st, 1775, and stood near the gallant General Montgomery when he, and his two aids, and a number of others were killed by a discharge from a British battery only forty paces from their position.* He continued in service until November 23d, 1783, when the army was disbanded. He re-entered the army March 5th, 1792, and remained in it until June 1st, 1802.

During the latter period he served in Wayne's celebrated legion, and commanded a company in the memorable battle of August 20th, 1794. He was a thoroughly trained officer—impetuous but cool—resolute, inflexible, punctilious, extremely courteous, but exacting in return every honor due to his rank and character. He was a singularly handsome man, with a military port and manner, very fascinating in conversation, familiar with ancient and modern languages, and with the literature of the age. Such was the man selected by General Wilkinson; just such an officer, as we have seen, that the Baron de Carondelet and the Chevalier de Yrnigs, the Spanish Minister, desired to have sent to the Natchez—"an officer of rank and discretion," to put an end to the officiousness of Ellicott, and to the discontents and anarchy he had occasioned.

The dispatches from the Secretary of War to Captain Guion, received by him on his arrival at Natchez, show the anxiety of the government to get possession of the district, but equal anxiety to avoid a rupture with the Spaniards—"a rupture" which Ellicott had been persistently striving to produce—and which, as far back as April 14th, 1797, he had written to Lieutenant Pope, was "near at hand."

WAR OFFICE, June 15th, 1797.

SIR: Should this dispatch find you where I expect it will, at the Natchez, and the Spanish garrison still in possession of the works at that place, you will be pleased to lose no time in communicating to the commanding officer there the enclosed copy of a message from the President of the United States to Congress, and to the inhabitants of the Natchez, its contents, that both may be fully possessed of the intentions of Government. You will also inform the Spanish commandant that you are instructed to pay the strictest attention to

*Many years afterwards, when the remains of Montgomery were about being removed to Trinity Church-yard, New York, it was ascertained that Major Guion was the only survivor who could identify the exact spot where the fatal shot was received, and where the body was deposited. Two gentlemen were sent out to solicit his attendance and escort him to New York. They found the veteran living in an humble cottage, near the foot of the "half-way hill," in the vicinity of Natchez. He accompanied them to New York and to Quebec—pointed out the grave and followed the remains of his old commander to their final resting place. He was the guest of the military while in New York, and he received many attentions from the city authorities and the citizens.

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the engagements the United States have entered into with his Catholic Majesty, to permit the demolition of the works; to use your utmost endeavors to preserve a continuance of the pacific disposition of the Indians within our limits, towards the subjects of his Catholic Majesty, or his Indians, and to prevent their commencing hostilities (*of which there is no appearance,*) against either, conformably to the fifth article of the said treaty; that you flatter yourself, after these candid assurances, that you will have the immediate pleasure to announce to the President a full compliance with the treaty on the part of the commandant of his Catholic Majesty's forces within the United States.

With respect to the government of your posts, you will keep the works always in a condition to resist attacks; practice the same precautions against surprise as if the United States were actually in war; fix upon regular and stated hours for exercise; pay the strictest attention to the arms, accoutrements and clothing of the men; direct four roll-calls every day, viz: the first at sunrise, the second at the hour of dinner, the third at that of supper, and the fourth an hour after retreat, by a visit made to their huts or quarters by a subaltern officer; have the sick and the soldiers' quarters visited ever day by a subaltern officer, who shall examine into their situation, see there is nothing out of order, that their provisions are wholesome and well cooked, that no quarrels exist among them, that they do not game, get drunk or commit debaucheries; you will also examine, in conjunction with the next officer in command, once every month, the state of the works, barracks, huts, magazines, public buildings, stores of every description, and all articles the property of the United States, and make a written report thereof to the Secretary of War, to be sent as often as occasions or opportunities may offer.

With respect to your general conduct, you will endeavor to gain the good will of the civil officers and inhabitants of the district, without losing sight of those measures necessary to be enforced for the preservation of the peace of the frontier, and will, as far as in your power, be kind and attentive to such of the Indians as may visit you.

As the times of service of some of the soldiers of your detachment may expire, who may be inclined to re-enlist, I enclose you enlisting instructions, and authorize you to draw on me for such sums as may be necessary to keep up the complement of your command, by fresh enlistments either of old soldiers or others.

I am, sir, etc.,

JAMES MCHENRY.

Captain Isaac Guion.

1797. July 13th, the Secretary of War writes to Captain Guion:

"You will conform strictly with my instructions, and take every precaution for the safety of your command, and maintenance of a good understanding with the inhabitants and the Indians, while you will, at the same time, carefully avoid whatever might disturb the peace between the United States and Spain, or afford ground for complaint."

General Wilkinson seems to have been influenced by Ellicott's false and mischievous representations, to apprehend a rupture with Spain, and so intimated to the Secretary of War, who thus replies:

EXTRACT OF A LETTER FROM THE SECRETARY OF WAR TO GEN. WILKINSON.

WAR OFFICE, July 21, 1797.

You will indulge me in an observation or two on another subject, arising out of your last communications.

Government, anxious to obtain possession of our territory and, at the same time, to preserve our neutrality and avoid war, has pursued a line of conduct towards Spain predicated on these views. Such being the principles of the administration, it is sincerely hoped by the President that Captain Guion may not fall into unnecessary delays or admit of frivolous pretexts to obstruct his progress to his points of destination, and that no officer of the United States may, by any proceeding whatever, relative to Spain, afford her officers the least

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ground for disbelieving the pacific intentions of our government, or the unaffected desire which it has, on all occasions, discovered, to maintain the purity of our neutrality.

The officers of Spain can no longer apprehend an invasion of Louisiana from Canada. Indeed there never has been the least appearance in that quarter indicative of such a project, nor any movement or collection of troops, vessels or military apparatus, that could give countenance to such a suspicion. This being the case, and it being undoubtedly the interest of Spain, as it is of the United States, to preserve peace on the basis of the treaty, I flatter myself that nothing will happen between the officers of the two nations to put it in jeopardy."

FROM THE SECRETARY OF WAR TO GEN. WILKINSON.

JULY 25th, 1797.

"You seem to think that Captain Guion's detachment may possibly get into a disagreeable situation; that the object of the Spanish officers is to parry our pretensions and gain time to receive further instructions from their court, and that if they have permitted our vanguard to reach the Natchez, it was only to have it more effectually in their power in case of a rupture, or to make a merit of it in case of none. Without discussing the ground of these conjectures, I have only to observe, that *neither the Spanish Minister here, nor any of the Spanish officers, have ventured to make any communication, or do any act that would have rendered it proper in the President to have waived the rights of the United States or to postpone our occupation of the country and the completion of the line of demarkation.*

If, however, Spain conceals latent designs of hostility, the arrival of Captain Guion's detachment will have the good effect to unveil them, and discover, unequivocally, their intentions. In the meantime it is our duty to guard against surprise *and intrigues,** and *do nothing that would justify any nation in bringing war upon this country.*"

FROM THE SECRETARY OF WAR TO GENERAL WILKINSON.

WAR OFFICE, 25th August, 1797.

SIR: By letters from Tennessee it appears that a Mr. Thomas Powers has undergone an examination there, before a magistrate, and been dismissed, having produced a public letter to you from Governor Gayoso to request you to suspend the progress of the detachment under Captain Guion, and assigning as reasons for the detention of the posts, 1st: That the British had wintered on the lakes a considerable force to carry an expedition in Louisiana, through the United States. 2d. That the retention of the posts of Natchez and Nogales and Walnut Hills were necessary to the protection of lower Louisiana from the British inroads. 3d. That it appeared that the United States were preparing for war, by embodying their militia and directing them to be held in readiness to act at the shortest notice. 4th. That the British had been permitted, by a treaty with the United States, to a participation in the navigation of the Mississippi, contrary to the treaty with Spain. 5th. That the forts ought, agreeably to treaty, to be demolished. 6th. That negotiations on these points were pending between the United States and Spain, and that, till concluded, it would be proper that the posts should be retained. 7th. *That instead of sending small parties to take possession of the posts, which serve to introduce irritations among the settlers, it was required that a respectable body of troops should be detached whenever they were to be delivered.*†

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*A clear hit at Ellicott.

†This at once refutes the reiterated statements of Ellicott, in his correspondence with the Secretary of State, "that the Spanish authorities were using every pretext to evade the treaty, and to retain possession of the country." Such an intention is wholly at variance with the above letter from Governor Gayoso to General Wilkinson, calling on him to dispatch not a small party, under a young lieutenant, but a strong detachment of American troops, "under an officer of rank and distinction," to occupy the district and repress disorder, during the period of transition.

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Should such be the demand and matter of the Spanish Governor's letter, you will reply to the first point, That the British have not augmented their force on the lakes, and that from your own observation and the information you have received, no depots have been formed or movements made, which indicated an expedition by that power against Louisiana; that had such an expedition been determined on, it must have been indicated by augmentation of troops, artillery, provisions, etc., on the lakes, beyond the quantities necessary for the defense of Canada. That you can safely assert that such augmentations have not taken place, and that so far from circumstances in Canada countenancing an invasion of Louisiana, it is very certain that fears have been entertained that an invasion of Canada was contemplated by France and Spain. If you have not ascertained the truth of these remarks, I request that you will, or mention such circumstances as you can establish by our officers, who have been attentive to the changes which have taken place in the British forces on the lakes, and in their military deposits, and who know that, so far from contemplating a descent on Louisiana, they were apprehensive of one from it. It may be proper, also, to observe that the position of our garrisons on the Canadian frontier, is calculated to overlook the British garrisons and guard the territory of the United States from invasion from Canada, and that you and every military officer of the United States would consider it your duty to arrest the progress of any power who should attempt violation of its territory, unless you were specially instructed to the contrary. Besides that, you are authorized to assure him that the British Minister has been, long since, notified by the President, that the United States would not suffer either Great Britain or Spain to violate their territory in the execution of any military projects against each other.

To the second, That inasmuch as no appearances have existed of a formed intention to invade Louisiana, through the territory of the United States, as no expedition could have taken place without previous preparations which could not be kept secret, as the executive have formally declared to the British Minister that it should cause their territory to be respected, it follows that the posts of Natchez and Walnut Hills cannot be retained on the ground of their being necessary to protect Lower Louisiana from British inroads from Canada.

To the third, That it is the part of every wise nation to keep their militia, at all times, in a situation to be prepared for war; that militia have been held in readiness on the frontiers of any of the States, it was to repel Indian hostilities against the State that had called upon its militia, and not to commit hostilities upon Spain; that agreeably to the laws of the United States and individual States, the militia of the United States are to be armed, trained and exercised, that they may always be found in a situation to meet war; that it has been the constant practice of the States to exercise and train their militia, and that no nation could, with propriety, decline to do during a war between its neighbors, what it held an indispensible duty in times when all nations were at peace.

To the fourth, you will remark that you are authorized to say that the United States have not given to Great Britain, by their treaty with her, any right to navigate the Mississippi, which Great Britain did not enjoy before that treaty; that the treaty leaves that point precisely where it found it, neither adding to, nor diminishing from, any claims she may have on the subject; that the United States will confine their attention strictly to that freedom of navigation which they, themselves, have a right to exercise.

To the fifth, that Captain Guion has been instructed to permit the demolition of the forts.

To the sixth, that you have authority to say, that no negotiations upon the two preceding points has been entered into by the Court of Spain and the United States.

To the seventh, that the United States can have no desire to produce irritation among the settlers, near the posts, by sending small parties to take possession of them; that as the treaty between Spain and the United States has not stipulated the number of troops, which were to occupy them in the first instance, it could not have been contemplated that more was proper than what has been ordered.

Having answered to these points, you will conclude by assuring the Gov-

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ernor "that the constant tenor of your instructions from the President has been to preserve the friendship which subsists between the two nations, and that the orders to Captain Guion, who has proceeded to the Natchez, are equally explicit and unequivocal; that from the known and sincere wish of the United States to continue in friendship with Spain, added to the reasons you have assigned and the facts which you have stated, you cannot suffer yourself to entertain a doubt but that everything will be amicably settled between the officers of His Catholic Majesty and Captain Guion, relative to the posts, on his arrival at the Natchez, conformably to his instructions and the assurances and accommodations which he is authorized to make."

1797. On the 10th November, the Secretary of War despatched Major Constant Freeman, one of the most accomplished officers of the army, to the head-quarters of General Wilkinson with a letter to Governor Gayoso, which the General was instructed to copy and transmit by Major Freeman. This letter from the war office, General Wilkinson says, in a private note to Captain Guion, was, doubtless, written by the Secretary of State, Mr. Pickering.

GENERAL WILKINSON'S LETTER TO GOVERNOR GAYOSO.

PITTSBURG, December 10, 1797.

SIR:—It is with great regret that I find it to be my duty, in the discharge of my trust, to make known to your excellency certain practices which have taken place within the United States, of a nature calculated to disturb their peace, and having for their authors officers of his Catholic Majesty.

My opportunities, as general-in-chief of the army, have enabled me to assure you, from the highest authority, that agents, vested with powers from Spanish officers, and instructed for purposes injurious to the rights of the United States, have visited most of the Indian Nations, within our territory, and induced some of those nations to hold councils and deliberate upon speeches, inviting them to desert the territory of the United States, and take up the hatchet against the Americans and English, whom they were pleased to blend and characterize in those speeches, equally the enemies of Spain. Those attempts to rouse the sleeping cruelties of the savage, so repugnant to humanity, and subversive of the principles of a recently ratified treaty between Spain and the United States, cannot, I am persuaded, have met with your concurrence. I flatter myself, therefore, that you will authorize me to state to my government that they have taken place without your participation, and that measures will be adopted, to manifest the sense you entertain of such attempts, to prevent efficaciously, their being repeated. It is proper, also, that I should notice to you another circumstance, apparently connected with those attempts. Captain Guion, with a detachment of the troops of the United States, destined for the Walnut Hills and the Natchez, has been, in the month of July, ultimo, formally requested by the commandant of New Madrid, to suspend the execution of his orders, and has had a protest against his passing down the Mississippi delivered him, importing to be from the same commandant. I inclose you a copy of this protest, which could not fail to excite surprise, considering that Captain Guion, in navigating the Mississippi with his detachment, was in the use of a right secured to the United States by treaties, and more especially, too, as the object of his expedition was strictly to the treaty between Spain and the United States, independent of the force he commanded, having become indispensably necessary to secure and maintain a continuance of the friendship of the Indian nations, residing within the actual territory of the United States, on the east side of the Mississippi. What renders this proceeding more particularly deserving of attention is, that the apprehensions of the Spanish of invasion from Canada, must have been long since, and previous to this protest, effectually dissipated; for it is certain, as I have had the honor to inform the Baron de Carondelet, that no indications whatever, of an invasion of Louisiana from the Lakes have, at any time, existed. It cannot, besides, be unknown to your excellency, that the President of the United States, had early caused it to be officially announced to the British Minister in Philadelphia, that he would not permit

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the territory of the United States, to be violated by either Spain or Great Britain, in their operations against each other; a determination which the Spanish Minister at Philadelphia has been duly informed of, and which has become an act of public notoriety, by having passed into the public papers. In addition to these circumstances, your excellency may also have seen in the public prints of the United States, if it has not been communicated to you by the Spanish Minister, a letter from the Secretary of State of the United States, to the chevalier Don Yrujo, under date of the 17th of May, ultimo, which ought to satisfy you that the United States can have no question to settle or negotiate with the Court of Spain, relative to any right which may be claimed by Great Britain, to a participation in the navigation of the Mississippi. If Great Britain has any right of this kind, it is for her to look after it. The United States have entered into no stipulations with that nation, either to give it to her, or obtain it for her, or to facilitate to her its acquisition. The reading of that letter, and existing treaties, will show you that whatever was the state of this question between Spain and Great Britain, previous to our late treaty with that nation, remains unaltered and unaffected by such treaty, and that in this light it is considered by the government of the United States. You will be pleased moreover, sir, to observe that my assurances in my letter to the Baron, a copy of which I inclose, of the 14th September, ultimo, is grounded on this fact. I have therein expressly declared that should Great Britain attempt an invasion of Louisiana from Canada, through the United States, pending the present relations between the United States and Spain, I should feel it my duty to give it *effectual opposition*.

I now persuade myself that this disclosure of circumstances will demonstrate to your excellency the strict regard which the United States have paid to the rights of Spain, and their engagements with her. For my part, it has been a source of pleasure to me to endeavor to obey the will of the President in those respects, as contained in my instructions, the basis of which is to cultivate harmony between the two nations, to avoid whatever might be contrary to the stipulations in our treaty, and to reciprocate every act of kindness or civility which could, in any way, tend to consolidate their mutual interests. The wisdom of this policy, as applicable to both nations, cannot have escaped your notice. The contiguity of their territory, every event which affects their inhabitants, everything which we see around us, impresses upon the reflecting mind, the necessity and the propriety of the officers of the respective countries, to whom power is entrusted, abstaining from giving real ground of offense, or just reason for retaliation. Thinking in this manner, I anticipate that it cannot be your wish (it being so contrary to the interest of Spain) to countenance a policy, different from that which has hitherto animated the United States, and which appears to have governed your nation, when it concluded a treaty of boundary, friendship and navigation with mine. I anticipate, above all, as a proof of the continuance of this disposition on the part of Spain, the removal of such of the Spanish troops, as may be still remaining within any part of the territory of the United States.

Major Freeman, of the United States army, who will have the honor to deliver this letter to you, will receive your excellency's answer, which, for the greater safety and despatch, I must request of you to enclose to the Minister of the Department of War for the United States, at Philadelphia; and at the same time I shall be obliged to you for a duplicate, to be forwarded through the hands of this officer of the United States, commanding at Natchez.

I have the honor to be, etc.,

(Signed) JAMES WILKINSON.

To His Excellency, the Governor-General of Louisiana and its Dependencies, New Orleans.

GOVERNOR GAYOSO'S LETTER, IN REPLY.

NEW ORLEANS, March 30th, 1798.

SIR:—By Major Freeman, I received your excellency's communication, which contains the following points:

That it is with regret, you find yourself under the nececessity of acquainting

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me with certain practices of some officers of his Catholic Majesty, which have taken place within the territory of the United States, calculated to disturb the peace of both countries. That, as general-in-chief of the army, you are informed, from the highest authority, that agents, vested with powers from Spanish officers, have visited most of the Indian nations within your territory, and influenced them with notions injurious to the rights of the United States, inducing some of the nations to hold councils, and deliberate upon speeches, inviting them to desert the territory of the United States, and take up the hatchet against the Americans and English, whom they characterize as equally enemies of Spain.

Your excellency does me the justice to believe that it is without my concurrence, and likewise you wish to be assured by me, that such conduct took place without my participation, and that measures will be taken to prevent the same for the future.

In addition to such grievances, you consider as such, the protest made by the commandant of New Madrid, against the passage of Captain Guion with his troops, on his way down to the Walnut Hills and Natchez. Your excellency incloses a copy of said protest, and reflects on the impropriety of such a conduct, both as its being contrary to the late treaty, and unnecessary with respect to the invasion from Canada; as you expect that all apprehensions might have been dissipated by your communication to the Baron Carondelet, and by the publicity of the official intimation from the President of the United States, to the British Minister in Philadelphia, a determination on which our Minister in Philadelphi had been duly informed of.

Your excellency is pleased to make several political reflections concerning the pretensions of the British to the navigation of the Mississippi, supported with a copy of the letter that, on the 17th September, ultimo, you wrote to the Baron Carondelet.

You continue, sir, with a most pleasing discourse, in which I reciprocate with you, contemplating the mutual interest of both our countries and the satisfaction of being the instruments of promoting it, in compliance with the human and benevolent wisdom of our rulers; observing, at the same time, the necessity and propriety, that the officers of the respective countries, to whom power is entrusted, should abstain from giving real grounds of offence, and just reasons for retaliation.

You expect that I will contribute to support the principles that governed my nation to enter into a treaty of friendship, boundaries and navigation, with yours, and that a proof of the continuance of that disposition on the part of Spain, will be the removal of such of the Spanish troops as may be still remaining within any part of the territory of the United States.

You announce to me Major Freeman, as the bearer of your communication, and whom you appoint to receive my answer which, for the greatest safety, you wish to be enclosed under a flying seal, to the Minister of the Department of War for the United States of America, at Philadelphia, and a duplicate, through the hands of the officer of the United States commanding at Natchez.

At any former period, I should find it indispensable to enter into the most minute details of facts, to prove to your excellency the propriety of our conduct, and that it was never our view to injure the interest of the United States, either in depriving them of the privileges and advantages that was intended by the treaty, nor with regard to the interference you mention, that some of our officers have had with the Indian nations, within the territory of the United States.

The exact compliance with the treaty of friendship, boundary and navigation on our part, as soon as those difficulties that obstructed its execution disappeared, is a proof that we had no other motive for the disagreeable retard than self-preservation. All that I could say on this important subject, to convince you of the purity of our conduct, cannot equal the fact of Major Freeman's having seen the forts of the Walnut Hills and Natchez almost evacuated; and I assure you, sir, that operation shall not discontinue with the utmost alacrity, until concluded. I even believe that it will be completed in the course of the present month.

The line of demarkation will immediately be commenced. I intend to be present at the fixing of the first point on the Mississippi, and, I dare say, that

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Mr. Ellicott is already on the vicinity of the 31st degree, in company with Mr. Dunbar, who is our astronomer, to make the preparatory dispositions for the first observations.

Convinced, as I am, of the intentions of the King, my master, to promote friendship, and the reciprocal interest of his subjects, and of the citizens of the United States, so as to make them so intimately connected that no other foreign politics shall disturb the peaceable possession of the blessings that infallibly will follow to us both, I have given the most positive orders to the acting officers under my command, both at Natchez and the Walnut Hills, to leave the fortifications in the state they were in, without demolishing any part of them, and as to the buildings, that otherwise might be sold to the public, to offer the preference to the commanding officer of the United States troops at Natchez. I also gave every other instruction that can prove my disposition, to improve that friendship from which we are to reap the immense advantages that Providence has intended for our nations.

I am informed that Captain Guion has adhered to my proposal; and in concurrence with our commanding officer at Natchez, have appointed appraisers, and under his receipt, will keep the buildings; leaving to our courts to arrange the payment thereof.

If late experience did not show to me the bad consequences of wishing to bring justification to a pitch of purity, that it is out of the human power to prove, I should try to explain the conduct of Mr. Lorimer since he has had anything to do with Indians; and, though these transactions never had any influence from me, as until I took possession of the command in chief of these provinces, he never was under my orders. As former Governor of the district of Natchez, I have had an intimate intercourse with the southern tribes; but I pledge you my word of honour that I never gave any talk injurious to the interests of the United States.

Before the treaty, that I had a right to treat with those nations, as free and independent ones, I advised them to be at peace among themselves, and with all the white people, and to be steady to their engagements towards us, in consequence of our ancient and repeated treaties, in the same manner that we kept ours, by furnishing them traders and presents; but never, never did I excite them to be the scourge of the human race, by the exercise of those cruelties, that with horror, we bring to our recollection.

Since the treaty between the United States of America and the King, my master, I gave no direct talk to any Indians, though I have spoken with some, and then I informed them of our said treaty, and made them comprehend the advantages that would result to the red people. Therefore, it is absolutely false that we had called upon the Indians for assistance, in the time of the troubles at Natchez. I even can assure your excellency that not a single officer of Spain, either spoke, or commissioned anybody to speak, to the Indians in my neighborhood, to act in favour, or against any nation whatsoever; on the contrary, my exertions were to keep them at a distance, and never to see one.

About six weeks ago, Bloody-fellow came to this city, to consult me about some of their affairs, to which I gave the answer, of which I have the honor to enclose a copy to your excellency.

A few more Cherokees have lately called upon me to ask permission to cross over to the western side of the Mississippi, which I refused; and, in the most explicit manner, informed them that in consequence of the treaty between the United States and us, I had no more to do with them. I requested Major Freeman to be present at this short conference.

I assure your excellency that it is absolutely against my system to encourage the Indian nations to emigrate into our territory, and shall do all in my power to prevent it.

Actuated by these principles, you may depend that I shall not commission any person to go on public business into any Indian nation within the territory of the United States; and I flatter myself that the same line of conduct will be observed by the officers of the United States, with respect to our territory. I even request your excellency to give orders for arresting any subject of Spain that, under pretence of being commissioned by me, should be disturbing the Indians of your dependence, and when detained, if your excellency sends him to me, I shall make him suffer the due punishment.

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I have remarked to your excellency that in my former talks, I never made use of any expressions that could injure the political interest of the United States, and henceforth you may depend that I will make it my very particular study to be even more cautious in so important an object; and I flatter myself that the talk Captain Pope is just now giving out in the Choctaw nation is conceived in the same terms, as part of that nation remains within the territory of his majesty.

I am so intimately convinced of the necessity and propriety of the officers of the respective countries, in whom power is invested, abstaining from giving real ground of offence or just reason for retaliation, that I will immediately issue the most strict orders to the commandants of every frontier post, to conduct themselves in such a manner as to answer the intentions of the King, my master, and the executive power of the United States, to promote the reciprocal interest of both nations, and make our friendship so sincere and permanent as to be considered that of one same people.

These being my sentiments, I doubt not that they will sympathise with yours, and that this my answer, fulfills your expectations in every point, without exception.

Without entering into a particular detail of reasons that I suppose impelled the commandant of New Madrid to protest against the passage of Captain Guion, with the troops under his command, I flatter myself that your excellency will judge of my opinion by the letter I wrote to Captain Guion on the 19th of August, 1797, by which I absolved him of the parole of honour he gave of not proceeding beyond the Chickasaw Bluffs. Enclosed, I do myself the honour of transmitting to you a copy of the said letter.

As to myself, I never offered the least objection to the concurrence of the troops of the United States, in the district of Natchez, and only recommended to Captain Guion not to be in sight of the forts, to prevent misunderstandings; and though he did not accede to my proposal, I did not think it material to make it a point of discussion, being positively sure that he would not offer any act of disrespect to the flag of his majesty whilst we occupied the posts; so much did I depend on the character you gave me, of this worthy officer.

I am, with due consideration and real esteem, sir,

Your most humble and obedient servant,

MANUEL GAYOSO DE LEMOS.

General James Wilkinson.

FROM GENERAL WILKINSON TO CAPTAIN GUION.

PITTSBURG, January 2d, 1798.

Your building a fort at the lower Chickasaw bluff, though not in your orders, was, under the circumstances, very judicious, and conforms with my views exactly. The minister of war now approves what he would not allow in the Spring. Captain John Pierce has been sent by the Secretary himself, to command at the Bluff, with a select corps of incomparable rascals, under Lewis, Marschalk and Steele.* The party you left there have been ordered to report to you at Natchez.

I send this letter by the Marquis de Mountjoye, an exiled noble of France, of high rank. He has been a professional soldier, and has greatly interested me with the details of his military life. He attends the Duke of Orleans and his brothers, who are bound, I understand, to New Orleans, to seek a passage to the Havana, from whence they expect to go, under convoy, to Spain, to join their mother who has escaped to that kingdom.

The conduct of the French baffles all speculation. They have gone from one excess to another, until they have thrown down everything of law, of security, religion or principle, and have rendered infamous the name of republican. It appears to me that the genius of that nation, so brilliant in science

*This is the first mention we have of Andrew Marschalk, so well known at Natchez in after years. His name will frequently occur hereafter, and proper mention will be made of him in connection with the press.

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and in war, is not at all adapted to regulated liberty, and that the convulsion will ultimately end in the restoration of royalty. In that case, *when you receive this letter, you will probably see the future king of France.** The Duke of Orleans is popular and a soldier. Fulfill your orders respecting foreigners, and treat these wanderers, who are friendly, with hospitality and respect."

These distinguished visitors remained only a short time at Natchez, to view old Fort Rosalie, and then departed for New Orleans, where they remained until the last of March, the guest of the late Bernard Marigny de Mandeville, whose father, as we have seen, was an officer under, (but no friend of) Bienville. March 28th, 1798, Major Constant Freeman, U. S. A., writes Captain Guion:

"Don't be surprised that I am in this city yet. Blame M. M. D'Orleans and suite, who have occupied the governor and the whole city, for some time past. It has been impossible to transact official business or receive my dispatches until they took their departure; and it was necessary, *pour beaucoup des raisons*, that the governor should accompany them to the mouth of the river."

As soon as Governor Gayoso ascertained that the United States had sent an officer of rank and character to Natchez, with a sufficient force to repress any invasion of Louisiana, or any outbreak of or interference with the Indians, he gave notice that immediate measures should be taken for the evacuation, and that he would do all in his power to facilitate the operations on the line of demarkation.

1798. March 29th, the Spanish garrison quietly and properly, without any demonstration, left Natchez for New Orleans, and on the 9th April, Ellicott, on bad terms with Captain Guion, and detested by many of the inhabitants, took his departure for Clarksville, below Fort Adams, to make his astronomical observations.

In his voluminous journal, in which he deliberately records his slanders of the dead and the living, he represents Captain Guion as a violent, overbearing man, who insulted the Permanent Committee of citizens, and insulted *Don Jose Vidal*, (who had succeeded Major Minor as commandant at Natchez,) and that he evidently desired to establish an arbitrary, military rule. These charges are distinctly made in his journal, p. 162–8. These charges are thus refuted:

1798. On the 14th April, Major Constant Freeman, U. S. Army, on a special mission to the Governor-General of Louisiana, writes to Captain Guion, from New Orleans. "Gov. Gayoso has received this morning *a letter from Capt. Vidal*, commandant at Natchez, *expressing the highest approbation of your conduct towards him*, and to the subjects of the King of Spain, since you have taken possession of the posts of Natchez."†

On his arrival, with a sufficient force to protect the country and preserve order, there was no further necessity for committees of citizens. Their functions naturally ceased; and until the Territorial officers arrived Captain Guion had, and was entitled to the control of affairs, in

*These words proved prophetic.

†Capt. Vidal, an officer of the Spanish army, was commandant of the post of Concord and its dependencies, and in the absence of Governor Minor, was acting governor of Natchez. He had all the characteristics of the Spanish gentleman—proud, ceremonious, dignified, but generous, hospitable, ever ready to confer a favor. He survived long after the change of government, and died at his old post, leaving a large estate to his descendants, the heirs of Samuel Davis, Esq., a respected citizen of Natchez, now represented by Alfred Davis, Esq., of Pass Christian.

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the maintenance of public order. The citizens themselves took this view of the case.

NATCHEZ, May 1, 1798.

To Captain Guion, Commanding United States Troops:

SIR—As it is very doubtful when the civil officers for this district will arrive and we are daily experiencing many inconveniences in the absence of all civil authority, the repair of the roads, removing nuisances, keeping up a patrol, preventing riots, and the sale of spirits to Indians, and some regulation for the security and recovery of debts, are objects essential to our well-being, and yet for all these purposes we are without authority, and we can accomplish nothing without your support and approval. As a committee, representing the inhabitants of this town, we respectfully ask your assistance.

We have the honor to be, etc., etc.,

DAVID FERGUSON,
DANIEL DOUGLASS,
LEWIS EVANS,
JOHN SCOTT,
Committee.

CAPTAIN GUION'S REPLY.

GENTLEMEN—The objects enumerated in your letter are all important to your citizens, and, until the arrival of the officers for this district, can be accomplished by voluntary association and common consent. You shall have my co-operation whenever it may be necessary. The selling of spirits to the Indians, without a license from the Superintendent of Indian Affairs, is strictly prohibited by an act of Congress, approved May 19, 1796, and is therefore an offence against the United States and the penalties will be rigidly enforced by me. In regard to the security and recovery of debts, perhaps by common consent you may devise some plan; *but as these matters are too closely connected with judicial and legislative powers to be touched by me*, I shall neither advise or discountenance any action the citizens may agree upon, and shall only interfere in case of violence or breach of public order."

The following letter from Wm. Vousden, Esq., one of the most influential gentlemen in the province, speaks for itself:

COTTON FIELD, DISTRICT OF ST. CATHERINE, May 9, 1798.

To Captain Guion, Commanding U. S. Troops, at Natchez:

SIR—A few of the most respectable inhabitants of the district met at my house some days past, to consult upon some temporary plan for preserving order. We agreed to meet in larger numbers, at the tavern of Mr. Belks, and to invite delegates from the districts to confer with us, so as to ascertain the wishes of the whole settlement. Meantime I am desired by the gentlemen who met at at my house to acquaint you with our proceedings, desirous to pay you every respect as commander of the United States forces, and respectfully asking your countenance and support. But should you have information that a governor or other functionaries, are likely soon to arrive, we desire to proceed no further. I am further requested to assure you of our gratitude and respect for your course since your arrival in our country, and particularly for your stern discountenance of feuds and broils which were so rife before your arrival, and carried on with great acrimony against the will and interest of the peaceable inhabitants."

CAPTAIN GUION'S REPLY.

"SIR—Referring you to the enclosed copy of my answer to Mr. Ferguson and others, I have only to say that I have confidence in yourself and such gentlemen as assembled at your house, and fully reciprocate their expressions of respect.

Good order seems to prevail now in every part of your settlements, and my

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authority shall be promptly exerted when necessary to preserve it, strictly within the limits prescribed by my instructions from the Secretary of War and the commander-in-chief."

Thus, by this correspondence, we refute Ellicott's statement that Captain Guion desired to establish an arbitrary rule, a statement which, with other calumnies from the same quarter, has been adopted by historians, and is now for the first time, shown to be false.

May 10th, Colonel Hutchins writes to Captain Guion:

"Your letter to the people of Natchez hath given general satisfaction. It hath silenced the malicious report noised about by Ellicott, that you desired to establish martial law. The people are undeceived, and with Lieutenant Pope, they now say there is no truth in that mischievous man. Mr. Burnet, Mr. Gibson and Mr. Hoggatt have made made it their business to ride to every beat and put up copies of your letter, and thus strip the mask from that designing man."*

1798. The commission to run the line of demarkation consisted of Andrew Ellicott, astronomer, and Thomas Freeman, surveyor, on the part of the United States, with a military guard under Lieutenant McCleary and the axe-men and boat hands Ellicott had very unnecessarily brought from Pittsburg. Much better men could have been had here.

On the part of Spain, Don Stephen Minor, Commissioner, Sir Wm. Dunbar, astronomer, with a surveyor, and a military guard. The notorious Powers had been nominated surveyor by Governor Gayoso, but Sir Wm. Dunbar refused to serve with him.

August 19th, Major Freeman writes Major Guion from Clarksville:

"Ellicott landed here on the 10th and camped with his gang. They have done nothing since but eat salt pork and guzzle whisky. It is obvious to every one that he is making a job of his appointment. His inconsistencies, duplicity, absurdities and immoralities are disgusting."†

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*I find among my MS. but one warrant issued by Capt. Guion:

NATCHEZ DISTRICT, } ss.
MISSISSIPPI TERRITORY. }

To Reuben Baxter, Greeting:

You are hereby empowered and commanded to take the body of John McDowell of this district, physician, and him forthwith bring before me, to answer unto the complaint of James Clark of the same place, respecting certain felonies, declared on oath to have been committed, and hereof fail not, and make due return.

Given under my hand and seal, this twenty-fourth of July, 1798.

I. GUION, Captain Commanding.

†As Mr. Ellicott, in his journal and official correspondence traduced many worthy persons, living and dead, and did not hesitate to break open private letters, surreptitiously obtained, and represents himself as pure and immaculate, it is but justice to show what manner of man he was. This can be seen by reference to the deposition of Maj. Thomas Freeman before the court-martial at Fredericksburg, convened September 1, 1811, for the trial of Major-General James Wilkinson. The witness was a man of the highest character, then and until his death holding a responsible position under government, and he charges Ellicott, under oath, with untruthfulness and official corruption, and with conduct personally most degrading, indecent and beastly.—Wilkinson's Memoirs, Vol. I, Appendix No. XXXII.

Mr. John Walker, son of Peter Walker, the first clerk of the court at Natchez, and brother of the late Governor of Louisiana, in a letter dated Philadelphia, June 1, 1800, says: "Mr. Ellicott and the rest of us had a very disagreeable voyage from Savannah to this city. The woman Mr. Ellicott brought to Natchez with him and had with him on the survey, became deranged on the passage, and but for Mr. Collins, Mr. Anderson and myself, would have killed herself. She is now frantic, and chained in a mad-house. Mr. Ellicott must feel remorse for forcing

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JUNE 10th.

"Governor Gayoso arrived at our camp on the 31st, with his private secretary and several staff officers. Next day he examined the work that had been done, and was pleased to approve it. He was quite complimentary to all of us, and is certainly a most polished and agreeable gentleman. Governor Minor gave a superb dinner of game and fish, dried fruits, and madeira fit for the gods. You know his talent for entertaining, and his cook is perfect.

Next day Governor Gayoso left, having given Minor and Dunbar full powers to act for the King, well pleased, he said, with all he saw, but better pleased, no doubt, to get away from this paradise or pandemonium of bugs, fleas, musquitos and snakes, and from conceited Ellicott, and his brazen-faced dulcinea."

A few days after the Spaniards evacuated Nogales, Major Kersey, with a detachment of United States troops, took possession. He was followed by Col. John F. Hamtramck with the 1st regiment, who, after remaining a short time at Natchez, established his headquarters at Fort Adams.*

General Wilkinson arrived August 26th and immediately concentrated the troops at Loftus Heights, where he constructed a strong earth work, magazines and barracks, and designated it Fort Adams. He paid a visit to the Boundary Commission, and finding Ellicott at war with Lieutenant McCleary and Major Freeman, he transferred the former to other duty and appointed Daniel Burnet surveyor. Major Freeman he employed as engineer to lay out and construct the fortifications.†

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her to remain on the line with him, during the whole survey, against her own wishes and the remonstrances of his friends."

This is the man that some partisan writers have held up as a model gentleman, patriot and saint!

*Mr. Lossing in his Pictorial Field Book, p. 53, says: "John F. Hamtramck, a German by birth, was a most useful and faithful officer. He was a resident of northern New York when the Revolution commenced and became a captain in the Continental army. He was appointed Major in the regular army, in 1789, and Lieut-Colonel of the 1st sub-legion in 1798. He commanded the left wing of the army under General Wayne, in the great battle of the Maumee, 1794. Lieut-Colonel of the 1st regiment infantry in 1796, and was retained as Colonel on the reduction of the army in 1802. He accompanied the troops to Natchez and Fort Adams. Like all Prussians he was a stern disciplinarian, but was much beloved by officers and men. He died at Detroit in command on that frontier, April 11, 1803. And his officers erected a monument over his remains. His eldest son was Colonel of the 1st regiment Virginia Volunteers in the war with Mexico.

† MAJOR GUION'S OPINION OF ELLICOTT.

Extract of Letter from Maj. Isaac Guion, Commanding U. S. Troops, to James Wilkinson, dated Natchez, May 5, 1798:

"Ellicott left here on the 9th ult., for Willing's bayou, a little below Mr. Daniel Clarke's plantation, where he now is, doing little or nothing. He has very much lessened himself and sullied the commission he holds by his conduct, both before and after his arrival here. I did not believe it till I saw it, and had supposed it calumny.

He is clearly striving to make a job out of his office, and difficulties and delay in running the line attributed to the Spaniards are really occasioned by his intrigues, to prolong his commission and per diem."

GOVERNOR MINOR'S OPINION.

Letter to Porter Walker, Esq., Natchez, dated Chatahoochie, August 24, 1799:

"I am sorry I can return you no equivalent for your favor of the 2d, ult., so full

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The commissioners appointed by Governor Gayoso, were Don Stephen Minor and Sir Wm. Dunbar, both noted personages in their day. The first was a native of Pennsylvania, of a well-known family, who had received a liberal education, and at an early age turned his footsteps to the West. He visited Pittsburg, Vincennes and St. Louis, where he made the acquaintance of Colonel Howard, an accomplished Irishman in the Spanish service, and by him was induced to go to New Orleans with dispatches for the Governor-General. He made a favorable impression on that high functionary, as he never failed to make on every one whom he desired to please, and was soon commissioned a captain in the royal army and assigned to duty at Natchez.

From this moment until the final evacuation it was found expedient to retain him at Natchez. He never lost the confidence of the Spanish authorities, and exercised more influence than any foreigner in their employment. He blended a convivial and social temperament with great dignity of manner, and shrewd, practical sense. He had remarkable financial abilities; rapidly accumulated property, and was hospitable and liberal. When Gayoso was transferred to New Orleans, Don Stephen Minor succeeded him as Governor of the Natchez district, and represented the Spanish government on the boundary commission. Governor Minor, like all public men of pronounced characteristics, had warm friends and determined enemies. His official position, in the last days of a Spanish colony, overflowing with a new population with republican ideas, naturally brought him into collision with many, and no public man of that era has been more misrepresented. But this, in a great measure, was the result of his position, and of his honorable fidelity to the government, whose commission he held. He was not faithless like Daniel Clarke, and the notorious Powers, to those who had given him their confidence, but like a soldier and a man of honor, continued true to the Spaniards, until they parted with the district. He then took the oath of allegiance to the United States, and, as will be seen hereafter by the papers of General Claiborne, rendered

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of incident and anecdote, but in this solitude it is out of the question. We arrived here July 25th, after many difficulties. We found the Indians strongly opposed to our farther progress. We convened a general council and after many long "talks" and tedious ceremonies, they finally consented that we might proceed. During these "talks," which are tiresome and monotonous beyond conception, many of our horses were stolen. They, however, promised to have the horses returned, and that no more should be stolen. Everything was made straight, the grand council broke up, and each of the chiefs gave glowing assurances of their friendship for the Spaniards and Americans. On the very night these solemn declarations were made fifteen of our best animals (the rascals are good judges of horses) were carried off, and every night since, nothwithstanding our vigilance, they have got away with several. Occasionally some adroit fellow steals one of these in return, and brings him in to us, to prove his friendship as he says, but always demand a reward equal to the value of the horse. We notice, too, that they always bring the poorest and most inferior of our stolen horses. In this disagreeable position we have been one month, and may be another, for it has not ceased to rain every day, more or less, since the 20th June. The nights, fortunately, are bright and clear, and we have improved them to make the requisite observations. The boundary will be twenty-five or thirty miles above the mouth of Flint river, and not below it as has heretofore been conjectured. We shall lose no time, when the weather permits, in pushing through to St. Mary, our last station, thank God! I am truly tired of this business, and regret I ever consented to undertake it. Your son is a fine fellow and has served us faithfully. He is greatly dissatisfied with Ellicott, and so is every man in camp. He is not the man we took him for, nor has he a friendship for any man in this world. No regard for the social proprieties. Some day you shall know it all."

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valuable services to his country. He enjoyed life, and contributed freely to the enjoyment of his friends and the promotion of their fortunes. He died at Concord, and was there buried.

The other commissioner was Sir William Dunbar, youngest son of Sir Archibald Dunbar, of Elgin, one of the most ancient and famous of the earldoms of Scotland. He had been thoroughly educated at Glasgow, where he evinced such a faculty for mechanics and mathematics, that he was induced to repair to London to pursue them. There he made the acquaintance of the celebrated astronomer, Herschell, Mr. John Swift, Dr. Thornton, and other men of science, and for some time devoted his studies to optics and astronomy; but his health failing, he resolved on a voyage to the British North American colonies. The eminent firm of Hunter & Bailey furnished him with an assorted cargo of merchandise suitable for the Indian trade, to the value of £1000. He landed in Philadelphia in April, 1771, and by the advice of Mr. John Ross, a great Scotch merchant of that city, immediately dispatched his goods to Pittsburg, then the chief point for the trade in peltries. He pursued this business with reasonable success, until about 1773, when he formed a partnership with Mr. Ross to establish a plantation in the British province of West Florida. He descended the river, exploring the country, and fixed upon a place in the vicinity of the British garrison at Baton Rouge, then called New Richmond. He made a voyage to Jamaica where he purchased his negroes, brought them to Pensacola, then the seat of government; secured the land he had selected, and made his way thence by the lakes and up the Amite to Manshac. Here he resided twenty years, accomplishing much by industry, frugality and science, but losing as fast as he accumulated, by the vicissitudes of the times. In 1775 he lost a number of his most valuble slaves, by their becoming involved in an insurrection. In 1778 a banditti, headed by Willing, who only the year before had been a guest at his house, and received the hospitalities of the district, stripped his premises of all that they could find. In 1779, when Colonel Dickson surrendered the country to Galvez, his house and plantation were plundered by the "bummers" of the Spanish army, his fences burned and his crop destroyed. In 1792 he removed to Natchez and opened the well-known plantation called the "Forest." Here he first cultivated tobacco until it ceased to be a profitable crop, owing to the competition from Kentucky, and difficulties in New Orleans. Next indigo, which was abandoned in consequence of the ravages of an insect. Then cotton became the staple, and with its introduction the people rapidly grew prosperous. Mr. Dunbar brought his knowledge of chemistry and mechanics into the culture. He made his plows and harrows on scientific principles; improved the cotton gin; invented a press; first suggested the manufacture of cotton seed oil; produced at home all the necessaries of life; and in a few years purchased the entire interest of his partner, leaving him the sole proprietor of a princely estate. He was appointed surveyor for the district. In 1798 he was appointed astronomical commissioner on the part of Spain, to determine the boundary, and by his minute and accurate observations the cardinal points were established. Having accomplished all but the merely mechanical part of running out the boundary from the point of latitude which he had established, the work of the surveyors, he withdrew from the commission, returned to Natchez,

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and Governor Sargent having arrived, he took the oath of allegiance to the United States, and was immediately appointed chief justice of the court of Quarter Sessions, an important position which he filled with ability. He maintained a correspondence with Sir Wm. Herschell, President Jefferson, Rittenhouse, and other learned men, and obtained from London a costly telescope and a complete set of instruments for his observatory and laboratory. From this remote country, then regarded as a wilderness, he traced the course of the planets and made experiments in chemistry, and solved problems in mechanics, that were eagerly adopted by the philosophers of Great Britain, and his name became familiar to the academicians of the continent. Mr. Jefferson solicited his correspondence. At his instance Mr. Dunbar explored the Ouachita to its sources, geologically one of the most interesting fields in America. His reports of that exploration; on the delta of the Mississippi; and on the "sign language" of the Indians, a remarkable medium by which the most remote tribes inter-communicate, and his classification of the tribes, are among the most valuable contributions to the American Philosophical Society. This useful and virtuous citizen, the most distinguished scholar in our annals, died at the "Forest" in 1810, leaving numerous descendants and a fortune to each of them.

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CHAPTER XXI.

ON THE 12th June, 1797, President Adams, in a special message, recommended to Congress "to erect a government in the district of Natchez, similar to that established for the territory northwest of the Ohio, with certain modifications relative to titles or claims of land, whether of individuals or companies, or to claims of jurisdiction of any individual State."

The recommendation was referred to Messrs. Sewall, of Massachusetts, Findley, of Pennsylvania, Schumaker of New Jersey, and Harper, of Maryland, with orders, to report, by bill, or otherwise.

November 23. At the ensuing session the President again reminded Congress that the Spanish garrisons were still maintained in our territory, and that the demarkation of the boundary had not been commenced.

It does not appear from the journal that the committee had made a report, nor is there any trace of the matter until March 6th, 1798, the House was notified that the Senate had passed a bill "for an amicable settlement of limits with the State of Georgia, and authorizing a government in the Mississippi territory." After a second reading the bill was referred to the same committee, and on the 8th April it became a law. It applied to us the ordinance of July 18th, 1787, which introduced the common law, permitted slavery as it existed, but prohibited the introduction of slaves from foreign parts.

In the meanwhile, impatient of the dilatory action of Congress, the inhabitants of the district began to make themselves heard. February 2d, 1798, was presented a memorial from Robert Ashley and others, of the Natchez district, praying for confirmation of the Spanish land grants, under which most of them held, and for a government, with certain modifications, such as had been established for the northwest territory.

Memorial of Thomas Burling and others, to the same effect.

Memorial of John Henderson and others, of the Natchez, praying for aid to establish and support a regular ministry of the gospel, and of schools for the education of their youth.*

*This good man was a native of Scotland. Was the first auctioneer and general commission merchant established in Natchez; in 1802, was appointed by Governor Claiborne, Treasurer of the county of Adams and city of Natchez; was, for many years, elder of the Presbyterian church and foremost in all good works. He

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Memorial from John Caller and others, of the Tensas and Tombigbee settlements, referring to the conflicting land titles, their exposure to Indian and foreign hostilities, and the necessity of a special stipulation with the Spanish government for the free navigation of the Mobile and Tombigbee rivers.

1798. The President appointed Winthrop Sargent, Governor, and John Steele, Secretary of the Territory. The new Governor was a native of Massachusetts, of the race of the Puritans, and with many of the peculiarities of that remarkable people. He had been a captain, afterwards major, and a brave and efficient one, in the brigade of General St. Clair, during the revolutionary war, and had distinguished himself in the Jersey campaign. He is next heard of in 1786, when General Sam. H. Parsons, General Benj. Tupper, General Rufus Putnam and others, formed the New England Ohio company.† The first meeting was held in Boston, March 1st, 1786, when Winthrop Sargent appeared as a delegate from Suffolk, and was on the committee to draft the articles of association. The object was to purchase a large body of land in the northwest, establish a colony, and have the members of their company appointed to the various offices in the new Territory about to be organized. They arranged a very comfortable slate among themselves. Parsons was to be Governor; Putnam, Surveyor-General; Tupper, Collector of Taxes, and Sargent, Superintendent of Indians. Rev. Dr. Cutler, a man of learning, activity and tact, was made general manager, with authority to make a contract with Congress for the land. He proved himself an expert lobbyist, the first of that calling, now so numerous and pernicious, that appeared in this country. An abstract of his proceedings will be found interesting and instructive.

The doctor arrived in New York, where Congress was then sitting, July 5th, 1787, carrying with him sundry letters of introduction, among them, one to R. H. Lee, and other Virginia members, Melancthon Smith and General St. Clair, who was then President of Congress. He called on all these gentlemen, and next day was introduced by Col. Carrington, of Virginia, to the leading members, and had his proposition presented and referred to a committee.

"July 7th. Introduced by Mr. Rittenhouse to Captain *Thomas Hutchins*, Geographer of the United States, who, as Geographer-General to the King, had explored and described the Valley of the Ohio before the revolutionary war. Consulted with him where to make the location.* July 9th, waited again this

left a numerous family, worthy of their father, two of whom were Presbyterian ministers.

Natchez thus early evinces that interest in religion and education which has been, ever since, characteristic of her citizens.

†General Tupper was afterwards appointed surveyor from Massachusetts, under Surveyor-General Hutchins, to survey the Northwestern Territory.

*Elder brother of Col. Anthony Hutchins, of Natchez. A native of New Jersey, educated as civil engineer, afterwards captain of the 60th regiment in the British service. Appointed Geographer-General to the King, and explored the West before the revolutionary war. Like his brother, when the war broke out, though a loyalist in sentiment, not wishing to fight against his countrymen, he retired on half pay. Shortly after the war, he was appointed by Congress "Geographer-General," (Surveyor-General) to survey and divide the country northwest of the Ohio, with a staff of surveyors, one to be appointed from each State. He resided and died in Philadelphia. He published his account of Louisiana and West Florida, in 1784, and his account of Pennsylvania, Virginia, Mary-

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morning on Captain Hutchins. He gave me the fullest information of the country from Pennsylvania to the Illinois, and advised me, by all means, to make choice of the Muskingum. Attended the committee and then spent the evening with Captain Hutchins. Went early to the Committee, where the debate showed that our views were wide apart, and then repaired again to Captain Hutchins for further consultation. July 19th. A number of members are opposed to my proposition, some to making any contract; must ascertain who these are, and, if possible, bring them over. Grayson, R. H. Lee and Carrington are my warm advocates."

All *Virginians* and leaders in Congress, who had just seen their noble Commonwealth give away the great empire of the West to appease the sectional jealousy of the northern States!

"July 23. My friends making every effort to bring over my opponents. To get at some of them I was obliged to engage three or four persons to attack in rear, flank and front, at same time. In some cases I engaged one person who engaged a second, and he a third, before we could effect our purpose. In these manœuvres I am much indebted to Colonel Duer and Major *Winthrop Sargent.* Spent the evening with Colonel Grayson and other *Southern members* favorable to my contract. Having found it impossible to have General Parsons appointed Governor against the interest that General St. Clair had secured, I said that if Parsons could have the first Judgeship and Sargent be Secretary, we should be satisfied; that I should be willing to see General St. Clair made Governor, and would solicit the Eastern members in his behalf. This I found agreeable to the Southern members."* t

Thus it will be seen that the first settlement in Ohio was made at Marietta, on the Muskingum, by the advice of *Thomas Hutchins*, that the Massachusetts Company obtained their lands through the liberality of the *Southern members*, and that General St. Clair, who was appointed Governor, and *Winthrop Sargent*, who was appointed Secretary of the Northwestern Territory, owed their commissions to the same influence.

Major Sargent made a very efficient Secretary, and, in consequence of the infirmity and frequent absence of the Governor, often and for long periods, discharged all the executive duties in addition to his own. He was industrious, methodical and indefatigable; but his manners were repulsive and austere, and his temperament more ascetic than social. While holding this position he received his commission

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land and North Carolina, in 1788. These have been incorporated in Imlay's Topographical Description of the Western Country, 3d Edition, London, 1797.

The following letter from General Gage, Commander-inChief of the British forces in North America, will show how it was that he made the journey down the Mississippi to West Florida:

NEW YORK, June 17th, 1771.

SIR: Brigadier General Haldimand having occasion to employ you in West Florida, you will go down the Mississippi and proceed to Pensacola by the first conveyance after the receipt of this letter. The instructions for your proceeding are ransmitted herewith, which you will not divulge, and I transmit you also a passport, which latter I am to hope will procure you any assistance you may stand in need of at the Spanish posts.

I acquaint Lieutenant-Colonel Wilkins of your orders to go to Pensacola, and if he can obtain a passpport or letters of recommendation from the Spanish commander at the Illinois, it may be of use to you.

I am, sir, Your most obedient and humble servant,

THOMAS GAGE.

Captain Hutchins, 60th Regiment, Fort Chartres.

*Cutler's Journal.

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as Governor of the Mississippi Territory.* Before he left Cincinnati he was duly informed by the Secretary of State of the condition of the Natchez district, the temper of the community, the necessity of being both firm and conciliatory, and was advised to follow the example of his Spanish predecessor in cultivating agreeable social relations with the citizens. That he received this advice is manifest from his reply, May 29th:

"I do indeed accept your remarks in good faith, and you cannot confer on me a greater obligation than by continuing them. They may be honorable to myself and useful to the new government. The footing on which Governor Gayoso lived with the inhabitants may not be equally in my power to observe, from the difference between the American and Spanish appointments. It shall be my study to conciliate and attach all parties to the United States."

His nomination to the office, it appears, was by no means approved by all of those who knew him, and who knew the people of the territory. In this same letter he writes:

"The opposition to my appointment, and the news which preceded the same, was very mortifying to me. As it was, however, only because I have been an *Eastern man*, the effects thereof are done away with. And to declare myself honestly, I should have felt myself infinitely more honored in one single nomination to a dignified trust, than dishonored or mortified by half a dozen rejections."

The opposition to the nomination was not sectional, as the Governor supposed, put personal, based on his utter incompatibility in tone, temper, sentiments and manners with the people he was sent to, and on the opposition to both Governor St. Clair and himself in Ohio. There was very little sectional feeling at that day, and what there was, prevailed only among Eastern politicians against the South. In 1787 South Carolina ceded all her immense territorial claims without further consideration, than "her desire to adopt every measure to promote the honor and dignity of the United States and strengthen the federal union." Noble words, that should be inscribed on the monument at Bunker's Hill, as a perpetual reminder of a generous and self-sacrificing people! Virginia, from the same motive, and to appease Eastern jealousy, had given away her vast territories in the West, and Georgia afterwards followed her example. The journal of Dr. Cutler, already quoted, shows that the first New England colony in the West obtained their grant through Southern influence, and that General St. Clair, of Pennsylvania, and Winthrop Sargent, of Massachusetts, owed their appointments mainly to the same.

The new Governor was a man of strong convictions and prejudices, and, unfortunately, these prejudices against us had taken firm hold before he arrived at Natchez. In his last letter from Cincinnati to the Secretary of State, June 16th, he says:

"From the best intelligence I have been able to procure there prevails in the country of our destination, a refractory and turbulent spirit, with parties headed by men of perverseness and cunning. They have run wild in the recess of government, and every moment's delay in the adoption of rules and regulations after the ordinance shall be promulgated, must be productive of growing evils and discontents."

*Sir Wm. Dunbar, in a letter to Mr. Ross, May 23d, 1799, draws this portrait of the Governor: "I returned from the boundary line with our new Governor, who had been to pay a visit to Mr. Ellicott. I am on as good terms as it is possible to be with a man of his phlegmatic and austere disposition. However good his intentions may be to do what is just and lawful, or even praise-worthy, it is impossible that a man so frigid and sour can give satisfaction to a free people!"

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Thus he had adopted this bad opinion of the people, before he left Ohio, and came prepared to restrain their "refractory and turbulent spirit," and to punish their "perverse and cunning leaders," not by law, but by arbitrary "rules and regulations" which, it will be seen, he soon adopted, and to which the patriotic, proud and cultured people whom he came to rule, refused to submit.

There had been a recess or interregnum of government from the 29th March, 1798, when the Spanish commandant and garrison left Natchez, until August 2d, when Governor Sargent arrived. But Major Guion was present during the interval, with a battalion of United States troops, in the capacity of civil and military commander, in perfect harmony with the citizens, and universal tranquility and order had prevailed through the entire district.

1798. The Governor arrived at Natchez, August 6th, in bad health. On the 8th he moved to Concord. On the 16th he addressed the people in Natchez, in which, among other agreeable things, he said that "personal merit and a firm attachment to the United States should be the qualifications for office under his administration, and that he should defer his appointments until he could become acquainted with the people." These declarations gave general satisfaction. But to the surprise of every one, on the 23d he set out on a visit to Ellicott, who was then engaged on the boundary, to have *his* opinion of the leading people of the district, and *his* advice in regard to appointments. This was a great mistake, and was the source of many of his future troubles. The Governor was a total stranger to the people. They were a mixed population, of various nationalities, but the controlling element was Southern, and it gave tone to society and to public sentiment. The immigrants from the Southern States, and a few English and French gentlemen settled among them, were opulent, polished, hospitable and convivial, delighted to have a chief magistrate, and an organized government, but greatly disappointed by his saturnine temperament and grim demeanor. The Governor had quite as little fancy for their cavalier deportment and the freedom of their conversation, and with some show of reason, he concluded that Ellicott, a man of education, holding a position of trust, and who had been twelve months in the district, was the proper person to consult. He had, no doubt, been the Governor's correspondent, and infused into him his own bitterness. The Governor certainly should have remembered that this man had fomented and taken part in all the factions and feuds that distracted the community, while he remained in it; that he cherished violent prejudices and animosities against many of the inhabitants, and that he was bitterly hated in return, and regarded as their enemy, and the enemy of the district. They had combatted his intrigues and his measures in their public meetings, in committees, and in their memorial to Congress. They had been greatly encouraged by the arrival of Major Guion, who discountenanced Mr. Ellicott's intrigues, and restricted him to his professional duties, and they had flattered themselves that with the advent of the chief magistrate his baneful influence in the affairs of the district would be extinguished. But when it became patent that the Governor had called on Mr. Ellicott for counsel, and that in his camp on the boundary line, they had jointly agreed on the appointments, and a policy, a large portion of the people felt that he had broken his voluntary pledge of the 18th August; that new

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troubles were about to be brought upon them, and that they would have to rely on their own efforts and on their friends in Congress. So the Governor commenced his administration with a strong opposition, undoubtedly a majority of the people, led not by "perverse and cunning," but active, able and resolute men, who knew what constitutional liberty meant and were determined to have it. And they were thoroughly united.

Governor Sargent returned from this unlucky conference with his suspicions confirmed into a thorough distrust of the people whom he had been sent to govern and conciliate. He adopted the personal and political hatreds of Ellicott, and in his communication to the Secretary of State supported his misrepresentations, and denounced the inhabitants as "composed of various characters, and among them the most abandoned villians."*

This tone of abuse pervades his official correspondence. Charges made by a high official, going upon the records of the government as a perpetual memorial of infamy, kept secret from the accused, and challenged and refuted now for the first time after the lapse of seventy years. He recommended the expulsion of certain aliens, and the necessity of transcending the laws, to maintain public order, and put down the seditious! "I am sometimes constrained to measures that imperious necessity only can justify. They will no doubt be noticed by the malcontents, of whom there are not a few; and among them some most unprincipled scoundrels, who manage with great art and address."

A bad impression to create, at the seat of government against an infant territory, which he had been sent to nurse and protect! Remote, unfriended, their land titles and their future status all unsettled, with only the federal authorities to appeal to, these vindictive and persistent charges, if credited, would have closed the door, and subjected them to a capricious and arbitrary ruler.

The Governor arrested one citizen for "impudent observations," and he was strongly inclined to apply the Sedition law and arrest Major Freeman, the American Surveyor, for writing and speaking contemptuously of Commissioner Ellicott! †

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*When Governor Gayoso left Natchez there was but one man in the whole district, in prison. And the only persons who might properly be styled "villians," had been employed by Ellicott to intercept private letters and to rob citizens, on their way to the seat of government with the remonstrances of the inhabitants. See further on the letter of Col. Cato West to Sargent, to show the peaceable and orderly condition of the whole district. General Wilkinson in his letter of instructions to Captain Guion, speaks of the inhabitants of the Natchez as wealthy, cultivated and refined.

†"Be on your guard," writes Major Guion from Natchez to Major Freeman, then on the Boundary survey, "how you talk and write about your great man. Our great man here don't relish it."

Thomas Freeman was born in Ireland, came to the United States in 1784; took the oath of allegiance immediately, and entered the public service it 1793. President Washington specially designated him as surveyor to accompany the astronomer Ellicott. They repaired together to the line, but when General Wilkinson visited their camp he found very unpleasant relations existing between them. Freeman was transferred to the encampment at Loftus Heights, and intrusted with the superintendence of the fortifications. Subsequently he was appointed surveyor-general of Mississippi Territory, which office he held until his death, in the old town of Washington, in 1821. By his will he left $2000 "for the education of his ward, John I. Guion," second son of his old friend Major Guion, and who afterward became distinguished at the bar, on the bench and in the councils of Mississippi.

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Governor Sargent again writes to the Secretary:

"Diffused over our country are aliens of various characters, and among them the most abandoned villians who have escaped from the chains and prisons of Spain, and been convicted of the blackest crimes. It would be wise policy to provide for extirpating such from our territory. We have no prisons, and the vilest offenders therefore calculate, with some certainty on impunity. I have done everything in my power, *more* perhaps, but I trust necessity will plead my justification."

"*No prisons.*" The very fact that in a district that had been under the British and Spanish authorities, and that had been several months without civil authorities and then under military rule, there were no prisons and no criminals, of itself refutes these wholesale charges of Governor Sargent.

In another letter of same date he says: "*Natchez*, from the perverseness of some of the people, and the ebriety of the negroes and Indians on Sundays, *has become a most abominable place.*" And he suggests the use of the miltary to repress it!* He had serious thoughts of seizing the Catholic Church building and converting it into a court-house, but said it "might hurt the feelings of about a dozen Catholic families and give offense to the King of Spain, who had it built." He recommended the issuing of orders, prohibiting aliens from traveling through the Territory without passports. And soon after issued a proclamation directing "all persons not actually citizens inhabiting the Territory, or some one of the United States, to report themselves, within two hours after their arrival at any of the settled posts of the Territory, to a conservator of the peace, under penalty of imprisonment. And prohibiting any citizen from entertaining or comforting any person neglecting to comply with the regulation."

He ordered the arrest of John Calihan and Wm. West on suspicion of being associated with Zacariah Coxe in his old land speculations, in Tennessee. Coxe had been arrested by his orders but had escaped, or rather his guards had permitted him to escape. He went below the line, into Spanish territory, and Gayoso refusing to arrest him, Governor Sargent brought the matter before General Wilkinson, and says: "Could we rely on any of the soldiers in the fort, the affair would wear a good face, and promise us success." He informs the General that he has arrested one White for "impudent observations."

Finding the military not disposed to sympathize in these arbitrary and uncalled for proceedings, he recommended the removal of all the soldiers from Natchez, "to save the men from debauchery, and for other reasons of national importance!"

His greatest stretch of authority was his appointment of a citizen, (a very worthy one) with full power to administer on the estates of decedents, taking bond, security, etc., thus, by a single commission, creating an office, prescribing the laws for its administration, and appointing an officer to fill it! Truly has it been said, by an astute commentator, "Royalty could do no more."†

The Governor organized the Territory into the counties of Adams

*It was the custom at that time, as it had been under the French and Spanish regimes, after mass on the Sabbath to devote the day to picnics, visiting, etc. The same custom prevails in New Orleans, in France, Italy, Austria, and many parts of Germany. But in the Governor's opinion these were unlawful excesses that should be repressed by the bayonet!

†The late Hon. John M. Chilton, of the Vicksburg bar, in DeBow's Review.

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and Pickering, and proceeded to make his appointments, some good, and some very obnoxious. Of the three judges commissioned for the Territory, by the President, Bruin, Tilton and McGuire, only the last named was a lawyer. Tilton and McGuire aided the Governor in concocting a code of laws incompatible with the spirit of our institutions and with the Constitution of the United States, most of which were annulled by Congress, and soon after this worthy pair disappeared and never returned. These laws were copied chiefly from an arbitrary code framed when Sargent was Secretary of the Northwest Territory, in conformity with his notions of expediency, and not drawn, as the ordinance for the Northwest Territory provided, from such laws, criminal and civil, of the other States, as may be best suited to the circumstances of the district.

When Secretary Sargent, and the judges, submitted to Governor St. Clair their code for the Northwestern district he vehemently protested against it, but finally succumbed, and right there commenced the opposition to St. Clair and Sargent that in a short time made Ohio thoroughly Jeffersonian. These oppressive laws had been condemned by Congress in 1795. Yet, not profiting by the lesson, Secretary Sargent, when appointed by President Adams, Governor of a Southern Territory, proceeded with Tilton and McGuire, to frame laws not only not drawn, as they were required to be, from the statutes of the other States, but repugnant to the established principles of jurisprudence derived from the common law of England. Against this code, and the exorbitant fees exacted on passports to leave the country, and on marriage and tavern licenses,* a large majority of the people, embracing its almost entire American and fighting element, protested. Led by such men as Cato West, Thomas M. Green, Narsworthy Hunter, Gerard Brandon, Hugh Davis, Samuel Gibson, Thomas Calvit, Alexander Montgomery, Felix Hughes, David Greenleaf, John Bolls, Ebenezer Dayton, Randal Gibson, Francis Smith, Wm. Erwin, Ebenezer Smith, John Foster, Joseph Calvit, Israel Luse, Moses Bonner, Richard King, Henry Hunter, Patrick Foley, Wm. Conner, Sutton Banks, Jesse Carter, Thomas Lovelace, George Selser, Parker Carradine, Abner Green, Robert Throckmorton, Jesse Harper, Robert Miller, Thomas White, James and Thos. Foster, Gibson Clark, Tobias Gibson, Mathew Tierman, Wm. Foster, and others, they appealed to Congress to cancel and annul these laws, to put a stop to these exorbitant and injudicious fees, and to give them a voice in the framing of their own laws, by advancing them to the second grade of Territorial government; all which, in due time, was granted in conformity with the prayers of the petitioners, against the persistent opposition of the Governor and his adherents.

The act of Congress provided for a Council (or Senate) of five members to be appointed by the President, and four representatives from the county of Adams, four from Pickering, and one from the new county of Washington, on the Tombigbee, which had been organ-

*Eight dollars for a marriage license, eight dollars for the privilege of lodging and feeding travelers, to be paid to the Governor as a perquisite, without any warrant of law! Every person who had occasion to leave the Territory had to pay him four dollars for a passport, and every one coming into the Territory to report immediately to a magistrate! The United States paid the judges, but by the Governor's code they were likewise allowed fees on judicial processes!

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ized April 4th, 1800, embracing the whole country from Pearl river to the Chattahoochee—these to be chosen by the people, allowing one representative to every five hundred free white males.

The legacy Ellicott had left to the district was the poisoned shirt of Nessus. He had departed, never to return, but his mischievous influence infected the whole of Governor Sargent's administration. The Governor was fanatical and suspicious, like his Puritan ancestors. That he was honest and conscientious will not be here doubted, but the same virtues must be conceded to his opponents, whom he had so persistently traduced. He was violently attacked and accused. The attacks were justifiable. The accusations, so far as they implicated his personal integrity, were unjust. His patriotism and good intentions are not here disputed. But there was a general incompatibility —an antagonism of opinion, tastes, manners and sympathies between him and the citizens, and it cannot be said that "he was the right man in the right place." He was, however, both combative and courageous, and gave back blow for blow. Like his covenanter forefathers who died, under the sabre of Claverhouse, with their bibles in their hands, he held to his arbitrary doctrines and notions of official infallibility to the last hour of his political life.

The citizens opposed to Governor Sargent determined to carry the conflict before Congress, and for that purpose appointed an agent to repair to the seat of government, who carried with him the following credentials:

"The undersigned, a general Committee, regularly chosen by the inhabitants of the Mississippi Territory, in the several districts of the same, for the purpose of seeking, by the constitutional mode of petition, redress of the grievances which oppress this country; having drawn up and signed two petitions of this date, to be laid before Congress, one for confirmation of the rights to our lands, etc., the other against the improper and oppressive measures of the Territorial government, and praying for a legislative assembly, do hereby nominate and appoint, as our special agent, our fellow-citizen, NARSWORTHY HUNTER (distinguished for his attachment to the United States,) to lay before Congress our aforesaid petitions, in full confidence that he will execute the trust reposed in him; and he is hereby authorized to make such explanations and further representations of the facts as he may find necessary during his continuance at the seat of government as Agent for this Territory, and we pray the honorable Congress to give full credence to his representations in our behalf.

GERARD BRANDON,	CATO WEST,
HUGH DAVIS,	EBENEZER SMITH,
SAMUEL H. GIBSON,	JOHN FOSTER,
WM. ERWIN,	JOSEPH CALVIT,
ALEXANDER MONTGOMERY,	JOHN BOLLS,
THOMAS CALVIT,	FELIX HUGHES,
THOMAS M. GREEN,	EBENEZER DAYTON,
FRANCIS SMITH,	DAVID GREENLEAF,
MOSES BONNER,	ISRAEL LUSE,

RANDALL GIBSON.

Natchez, October 2d, 1799.

The petition set forth—

"That from the vast distance of the district from the seat of government, and all other settled portions of the United States, Congress could have but a partial knowledge of it or of the temper of its inhabitants; and that they had been grossly misrepresented by Andrew Ellicott, in his communications to the President and Secretary of State, and by Governor Sargent, who derived his opinions from Ellicott. Soon after Ellicott's arrival, he recommended for this

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district a government similar to that provided for the Northwestern Territory, two sections in their people and institutions entirely dissimilar. His recommendation was made without color of authority, and merely in the interest of himself and his satellites, who were chiefly those who had been favorites of the Spanish governor. Under our governor, those who enjoyed the patronage of the Spaniards, are the exclusive recipients of executive favor, and those who felt it their duty to oppose the intrigues of Ellicott are considered little better than a conquered people. We have no hope of seeing a militia organized capable of efficient service. The officers have been appointed in groups, not residing among and unknown to the men whom they are to command—appointed not on the recommendation of the sixty-four men who constitute a company, but at the instance of two or three favorites, of doubtful patriotism, and obnoxious to the people. Governor Sargent's letter of December 20th, 1779, to the Secretary of State does us much wrong.

He represents us as being soured with the government of the United States. This is extremely incorrect. Many of us have fought for the government, and all of us anchor our hopes in it. It is not with our government we are soured, but with executive caprice, oppression and intrigues at home, and an experience of these under the preceding dynasty has taught us to dread them now and to avert them by every means available to freemen. Upon his Excellency's arrival, we had the highest hopes of his administration, but we confess our disappointment. His promulgation of laws, framed by himself, in direct violation of the ordinance of 1787, and subjecting us to arbitrary taxation and exorbitant fees at his own pleasure, are alarming enough. Communications to the Governor, complaining of these grievances, receive no attention. We, therefore, pray your honorable body to extend to us the second grade of government contemplated under the ordinance, with such additions and modifications as may be adapted to our peculiar conditions."

This memorial was accompanied with a copy of their letter to Governor Sargent:

"Your Excellency will bear in mind that for a long time before the arrival of Mr. Ellicott, two parties had existed in this district, one composed of the planters, mechanics, etc., chiefly natives of the United States. The other, of miscellaneous characters, informers and a train of court sycophants, who had been in the habit of influencing the Spanish authorities for their own selfish ends, at the expense of the body of the inhabitants. This latter party, it is notorious, got possession of Commissioner Ellicott. For want of a manly confidence, or for want of personal courage and integrity, he fell into the snare; and under a pretext that the people were doing wrong, he shunned those whose counsels he should have taken, (*including every officer of the United States then in the country,*) and threw himself into the arms of ex-Spanish functionaries, and *became a principal and active instrument in creating tumults and disaffection.* After deserting and betraying the people, and abandoning the best interests of the United States, we are to view him now as engaged in new intrigues against us. Nothing can convince the people of this country to the contrary. While some of his coadjutors were propagating the impression that the United States would never get possession of the district, he took particular care not to contradict the report. And while these opinions were intimidating and discouraging the people, he secretly informed the Spanish governor that Colonel Hutchins, Colonel Green and Ebenezer Dayton had each made propositions to seize him (the governor) and carry him out of the country! His opposition to these three popular characters was because they had censured his inefficiency in not carrying the treaty into effect. When Captain Guion arrived and swept away his importance, Mr. Ellicott used every exertion to excite the people to assert a right to govern themselves and to control the military; that their liberties were in danger. This is the man who (to finish his mischievous labors) has given the present austere and unaccommodating tone to your administration, so foreign to the genius of the constitution, and so humiliating to a free and proud people. When he could profit no longer by fomenting quarrels in the first person, he has reached us by his influence over you. The impressions he has made of us not only degrade us before the country, but they encourage here the factious and disorderly. The exertions and influence of this man may

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be considered an unerring barometer of the state of public order. He kept us in perpetual commotion. But when Captain Guion took the command, tranquility was everywhere restored, notwithstanding Ellicott's unremitted efforts to create distrust between him and the people.

Upon your Excellency's arrival the people were ready to embrace you as a father. There was universal rejoicing that an American Governor had come. Your address of the 16th August, stating that merit and a firm attachment to the United States should be the qualification for office, and that you postponed your appointments until you could become personally acquainted with the people, was received with satisfaction and applause. But without waiting for this, you went directly to Ellicott's camp, and, as we firmly believe, you returned with your list of appointments, made out there by the American commissioner, and we hear no more of your seeking an acquaintance with the people and their wishes. We admit that some good men have been appointed to office, but the numerous rejections and resignations of your Excellency's appointments demonstrate the impossibility of reconciling the people to the influence of Ellicott & Co.*

We entreat your Excellency to divide the Territory into proper districts. Let the people have the privilege of recommending their militia officers. Let your field officers be Americans, who have never been concerned in foreign intrigues, and your magistrates should be of the same character. Some of your laws cannot be reconciled with the constitution of the United States, or with the laws of the States. By your code, any person convicted of treason incurs the death penalty and forfeits all his property, real and personal, to the Territory. The constitution of the United States says that Congress alone shall have the power to declare the punishment for treason, and by their laws no forfeiture is incurred.

By your code the person convicted of arson is to be whipped, pilloried, confined in jail not exceeding three years, and forfeits all his estates to the Territory. The constitution of the United States says that excessive fines and punishments shall not be imposed, and that none of these offences shall work corruption of blood or forfeiture of estate, longer than during the life of the person convicted, and that in the case of treason only. If a state of society exists here, which makes it expedient for you to ignore the constitution of the United States in framing your statutes, we are yet to see it. We have been in the district for more than twelve months at a time without the benefit of laws of any kind, and notwithstanding we had been distracted by the intrigues of Ellicott and others, the general stock of virtue was sufficient to preserve peace and awe the vicious. Crimes were not more frequent then than they are at present; and if this fact be admitted (and it cannot be confuted) it affords a hint to executive and legislative bodies that merits their deepest attention."†

These documents were submitted to Congress by the agent of the Territory, Captain Hunter, with the following letter to a distinguished member of Congress:

PHILADELPHIA, February 4th, 1800.

SIR: You enquire 1st. "By what authority Cato West and others, were appointed a Committee for the Territory?"

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*Among those who rejected his appointments were Dr. White, *Lieutenant-Colonel;* Cato West, *Lieutenant-Colonel;* Sutton Banks, *Major;* Adam Bingaman, *Major;* Narsworthy Hunter, *Major;* Thomas Green, *Captain;* Joseph Calvit, *Captain;* Thomas Calvit, *Captain.*

†This eloquent letter was from the pen of Colonel Cato West. He was a native of Fairfax county, Virginia, of an influential family, sprung from an ancient earldom of England. He was a man of talents, education and fortune. He was a son-in-law of Colonel Thomas Green, and emigrated with him first to Georgia, and thence to the Natchez. He was an ardent republican and led the opposition to Governor Sargent. He was appointed Secretary for the Territory after Col. Steele's term expired, and conducted the executive office after Governor Claiborne went to New Orleans. He was a forcible writer and speaker; resided in Pickering (now Jefferson) county, was a frequent member of the Legislature, and presided over the Senate.

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A meeting was held by the principal inhabitants on the 6th July last, to consult upon the unhappy condition of affairs, and, if possible devise a remedy. The result of this conference was a circular to each of the districts, (or beats) recommending the people to assemble and nominate a committee charged to bring their grievances before the Governor and before Congress. The result was the election of the Committee. I have copies of the circular and of the instructions given by the people of the several districts to the committee.

2d. You enquire, "what is the aggregate number of free inhabitants of the Territory; what proportion are natives of the United States, and what the number of our militia?"

Our Governor has never taken a census of the people, nor has he been able to organize the militia, so that we are at a loss with respect to our numbers. I think, however, we cannot have less than six thousand free inhabitants, and about two thousand capable of bearing arms. Our people are, with the exception, perhaps, of one-tenth, natives of the United States.

3d. "Is there much immigration to the Territory? Have many of the citizens removed to the Spanish province below, and if so, what have been the inducements?"

The immigration to our Territory is, at this time, very limited, owing to the impossibility of obtaining lands except by purchase from individuals. The facility by which lands are obtained in the Spanish dominion by grant or order of survey, at merely nominal cost, draws the immigrant in that direction. Men of property are inclined, even with this difference, to prefer our Territory, but the poorer classes are induced to go below. A number of families have recently left for the Spanish territory with Dr. White, and others are preparing to sell out, if possible, for that purpose. Various circumstances have operated to this end, but the morose and arbitrary conduct of Governor Sargent, is a primary cause. The laws he has put forth are odious; in conflict with the federal constitution; with no precedent in the laws of other States; both the fees he exacts and the fines he imposes, are excessive. His appointments, civil and military, have given, for the most part, general dissatisfaction. All the officers that enjoy the respect of the people have either refused his appointments, or after holding them a short time, have thrown them up. He will never be able to organize the militia, notwithstanding his law imposing heavy fines on those who refuse his appointments. His exorbitant fees for passports to persons who desire to return to the United States, and for tavern and marriage licenses, are universally denounced as burdens on the public for his own enrichment."*

1800, January 13th. The petition, complaining of Governor Sargent and his arbitrary laws, was referred to a committee consisting of Mr. Claiborne, Mr. Griswold, Mr. Henderson, Mr. Nott and Mr. Bartlett, to report their opinion thereon to the House.

February 14th. The President transmitted to the House a copy of the laws promulgated by the Governor and the Judges. There was, it seems, but a single copy, and he requests the House, after they have examined it, to send it to the Senate!

February 19th. Mr. Claiborne made a report in part, which was read and made the order of the day for Monday.

March 10th. The House, according to the order of the day, resolved itself into a Committee of the Whole on the report of the committee to whom was referred a petition of Cato West and others, inhabitants of the Mississippi

*In the Northwestern Territory, while Secretary and acting Governor, he exacted, as a private fee, five dollars for a tavern license, and four dollars for a marriage license. In the Mississippi Territory he demanded eight dollars for a marriage license; eight dollars for a tavern license, and five dollars for a passport to go to the United States, as perquisites of his office!

When Governor Claiborne came to the Territory he issued the marriage license without fees, and treated the groom to a bottle of whiskey!

Governor Claiborne subsequently recommended a tax of two dollars on marriage licenses, and that the funds should be used for educational purposes.—*MS. notes on the Mississippi Territory, by the late Judge Edward Turner.*

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Territory, complaining of the political system by which the said Territory is governed; and, after some time spent therein, Mr. Edmond reported that the Committee had the said report under consideration, and made some progress therein.

On motion, ordered, That the Committee of the Whole House be discharged from the further consideration of the said report, and that the same be re-committed to Mr. Claiborne, Mr. Griswold, Mr. Henderson, Mr. Nott and Mr. Bartlett.

On a motion made and seconded that the House do come to the following resolutions, to-wit:

Resolved, That from and after the organization of the territorial Assemby of the Mississippi Territory, the Governor shall nominate, and by and with the advice and consent of the Legislative Council, shall appoint all officers, both civil and military, of the Territory, whose appointments are not particularly vested in Congress by the ordinance; provided that the Governor shall have the power to fill up all vacancies which may happen during the recess of the Legislative Council, by granting commissions, which shall expire at the end of their next session.

Resolved, That every bill which shall have passed the House of Representatives and the Legislative Council shall, before it become a law, be presented to the Governor of the Territory; if he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated, who shall enter the objections at large, on their journals, and proceed to reconsider it. If, after such reconsideration, two-thirds of that House shall agree to pass the bill, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered, and, if approved by two-thirds of that House, it shall become a law. If any bill shall not be returned by the Governor within six days (Sundays excepted) after it shall have been presented to him, the same shall be a law, in like manner as if he had signed it, unless the General Assembly, by their adjournment, prevent its return; in which case it shall not be a law.

Resolved, That every order, resolution or vote, to which the concurrence of the Legislative Council and House of Representatives may be necessary, except on a question of adjournment, shall be presented to the Governor of the Territory, and before the same shall take effect, shall be approved by him; or being disapproved by him, shall be re-passed by two-thirds of the Senate and House of Representatives, according to the rules and limitations prescribed in the case of a bill.

Resolved, That the General Assembly shall meet at least once in every year, and such meeting shall be on the —— day of ——, unless they shall, by law, appoint a different day; *Provided*, That the Governor shall have power, on extraordinary occasions, to convene both Houses of the General Assembly, or either of them.

Resolved, That neither House, during the session of the General Assembly, shall, without the consent of the other, adjourn for more than three days, nor to any other place, than that in which the two Houses shall be sitting.

March 14th. The House, according to the order of the day, resolved itself into a Committee of the Whole on the report of the Committee to whom was yesterday re-committed their report on the petition of Cato West and others; and, after some time spent therein, Mr. Edmond reported that the Committee had said report under consideration, and come to several resolutions thereupon; which were severally twice read, and agreed to by the House, as followeth:

Resolved, That so much of the ordinance for the government of the territory of the United States northwest of the river Ohio, as relates to the organization of a General Assembly therein, and prescribes the powers thereof, shall forthwith operate and be in force in the Mississippi Territory; *Provided*, That until the number of free male inhabitants, of full age, in the said Territory shall amount to five thousand, there shall not be returned to the General Assembly more than nine Representatives.

Resolved, That until the number of free male inhabitants, of full age, in the Mississippi Territory shall amount to five thousand, the county of Adams shall be entitled to choose four Representatives to the General Assembly; the county of Pickering, four; and the inhabitants of the Tensaw and Tombigbee settlements, one.

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Resolved, That the first election for Representatives to the General Assembly, shall be on the —— day of ——, and that all subsequent elections shall be regulated by the Legislature.

Resolved, That it shall be the duty of the Governor of the Mississippi Territory to cause the said election to be holden on the day aforesaid, at the most convenient place in the counties and settlements aforesaid, and to nominate a proper officer or officers to preside at and conduct the same, and to return to him the names of the persons who may have been duly elected.

Resolved, That the Representatives shall be convened by the Governor at the town of Natchez, on the —— day of ——.

Resolved, That so soon as the number of free male inhabitants, of full age, shall amount to, or exceed five thousand, the number of Representatives to the General Assemby shall be determined, and the apportionment made in the way prescribed in the ordinance.

Resolved, That nothing in these resolutions contained shall extend, or be construed to extend to, or affect the right of Georgia to the territory in question, or any part thereof.

Ordered, That a bill or bills be brought in, pursuant to the said resolutions; and that Mr. Claiborne, Mr. Griswold, Mr. Henderson, Mr. Nott and Mr. Bartlett, do prepare and bring in the same.

March 18th. The House, according to the order of the day, resolved itself into a Committee of the Whole House on the bill supplemental to the act entitled "An act for an amicable settlement of limits within the State of Georgia, and authorizing the establishment of a government in the Mississippi Territory; and, after some time spent therein, Mr. Speaker resumed the chair, and Mr. Parker reported that the committee had, according to order, had the said bill under consideration, and made two amendments thereto; which he delivered in at the Clerk's table, where the same were read.

The House then proceeded to consider the said amendments at the Clerk's table, and the first amendment, to add at the end of the bill a new section, in the words following, to-wit:

"*And be it further enacted*, That the General Assembly shall meet at least once in every year, and such meeting shall be on the first Monday of December, unless they shall, by law, appoint a different day; *Provided*, That the Governor shall have power, on extraordinary occasions, to convene the General Assembly," being again read,

The question was taken that the House do agree to the same,

And resolved in the affirmative, { Yeas.....54, Nays.....37.

Those who voted in the affirmative, are: Willis Alston, Theodorus Bailey, John Bird, Phanuel Bishop, Robert Brown, Samuel J. Cabell, Gabriel Christie Matthew Clay, William Charles Cole Claiborne, John Condit, Thomas T. Davis, John Dawson, John Dennis, George Dent, Joseph Dickson, Joseph Eggleston, Lucas Elmendorf, John Fowler, Albert Gallatin, Samuel Goode, Edwin Gray, Andrew Gregg, John A. Hanna, Thomas Hartley, Joseph Heister, William H. Hill, David Holmes, Benjamin Huger, George Jackson, James Jones, Aaron Kitchell, Micheal Leib, Matthew Lyon, James Linn, Nathaniel Macon, Peter Muhlenberg, John Nicholas, Joseph H. Nicholson, Abraham Nott, Josiah Parker, John Randolph, John Smilie, John Smith, Samuel Smith, Richard Stanford, David Stone, Thomas Sumter, Benjamin Taliaferro, John Thompson, Abram Trigg, John Trigg, Philip Van Cortlant, Joseph B. Varnum and Robert Williams.

This, with a few exceptions, was a strict party vote, the republicans voting aye, the federalists or administration party voting no.

March 19th. The bill read a third time and passed without a division.

The Senate returned it with sundry amendments April 24th. The House went into Committee of the Whole, and the amendments were agreed to without a count, except the

Third amendment of the Senate, for striking out, from the ninth section of the bill, the words following, to-wit: "and that the power given to the Gov-

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ernor in the ordinance, to prorogue and dissolve the General Assembly, at his pleasure, is hereby declared no longer to be vested, and shall not be exercised; *Provided*, That in case of a disagreement between the two Houses, relative to a time of adjournment, the Governer may adjourn them to such time, as is provided by law," being then read, the question was taken that the House do concur with the Committee of the Whole House in their agreement to the same,

And passed in the negative, { Yeas.....42, Nays.....49.

A strict party vote, the federalists voting to give to Gov. Sargent the power of controlling a refractory Legislature; the republicans voting to restrain his power, in conformity with the prayer of Col. West and other leading citizens of the territory.

May 1. Mr. Sewall from the committee to whom was referred the petition of Cato West and others, made a further report, which was read and considered; whereupon,

Resolved, That the Governor of the Mississippi Territory be authorized by law, for the term of one year, to permit by his special license, to be granted after examination of each case in which it shall be requested, any slave or slaves, bona fide the property of a citizen of the United States, or owned by any person resident within Mississippi Territory, at the period when the Government of the United States was established over the same, to be brought by such proprietor into the said Territory.

Ordered, That a bill or bills be brought in, pursuant to the said resolution; and that Mr. Sewall, Mr. Chauncey Goodrich, Mr. Waln, Mr. Evans, and Mr. Hill, do prepare and bring in the same.*

May 8th. Mr. Claiborne, from the committee to whom was referred the laws passed by the Governor and Judges of the Mississippi Territory, made a report which was read and ordered to lie on the table.

May 9th. An engrossed bill was read the third time and passed, without a division, "to permit in certain cases, the bringing of slaves into the Mississippi Territory."

The House proceeded to consider the report from the committee to whom was referred the laws passed by the Governor and Judges of the Mississippi Territory; and the resolution contained in said report being again read in the words following, to-wit;

"*Resolved by the Senate and House of Representatives of the United States of America, in Congress assembled*, That so much of the law enacted by the Governor and Judges of the Mississippi Territory, entitled 'A law to regulate taverns and retailers of liquors, and concerning Indians, as authorizes the Governor to demand eight dollars for every tavern license by him signed; and that so much of the law passed by the same *authority*, entitled, 'A law establishing and regulating the fees of the several officers and persons therein named,' as entitled the Judges of the Supreme Court, to receive fees for certain services therein enu-

*It is worthy of note that the resolution was introduced by a leading federal member from Massachusetts. A bill was brought in accordingly and passed the House, but was rejected in the Senate by a vote of 15 to 5.

In 1798, ten years before Congress had authority to prohibit the importation of African slaves into the States, in the act for the government of the Mississippi Territory, the seventh section makes it unlawful to bring slaves into the Mississippi Territory from any place without the United States; imposes a fine of $300 for every slave thus brought into the Territory in violation of the provisions of the act, and gives to every slave thus brought in, his or her freedom.

The condition of the Natchez district was peculiar. Under the Spanish government numerous Americans had obtained grants of land below the 31° north latitude; but when it was ascertained that the line of demarkation would start from that point and that all above it would be under the jurisdiction of the United States and all below it under Spanish rule, they were anxious to move into the Territory and to bring with them their slaves. But this was prohibited by the law forbidding the bringing in of slaves from foreign countries.

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merated, be, and the same are hereby, disapproved of, and declared to be no longer in force in the said Mississippi Territory."

The question was taken that the House do agree to the same,

And resolved in the affirmative.

Ordered, That the Clerk of this House do carry the said resolution to the Senate, and desire their concurrence.

May 14th. The House was notified that the Senate had disagreed to the bill to permit the bringing of slaves into the Mississippi Territory.

December 22. A motion made that the House adopt the following resolution:

"*Resolved*, That the laws passed by the Governor and Judges of the Mississippi Territory, and the petition of Cato West and others, with all the documents relative thereto, be transmitted to the President of the United States."

A motion was made to strike out from the word "that" in the first line to the end thereof, and to insert the following: "A committee be appointed to inquire into the conduct of Winthrop Sargent, Governor of the Mississippi Territory, and to report thereon to this House, and that said committeee have power to send for persons and papers and records." Adopted by yeas and nays, by a vote of 70 to 11. And it was further ordered by the House that Mr. Harper, Mr. Claiborne, Mr. Dennis, Mr. Nott, Mr. Davis, Mr. Bird and Mr. Otis be the committee.

And it was further,

Resolved, That the laws passed by the Governor and Judges of the Mississippi Territory, and the petition of Cato West and others, heretofore presented to the House, together with the documents relative thereto, be referred to the committee last appointed.

Resolved, That the committee to whom was referred the memorial of the House of Representatives of the Mississippi Territory, be discharged from the further consideration of the said memorial, and that the same be referred to the committee this day appointed to inquire into, and report upon, the official conduct of Winthrop Sargent, Governor of the said Territory."

December 30. A remonstrance of the Legislature of Georgia was presented, protesting against the establishment of the Mississippi Territory within the limits of that State, and asking a repeal of the law authorizing the same, as unconstitutional and subversive of the rights of Georgia.

January 2, 1801, the President laid before the House the laws enacted by the Governor and Judges of the Mississippi Territory, from the 30th June until the 31st December, 1799. Referred to Committee appointed to inquire into the conduct of Governor Sargent.

Ordered, That Mr. Robert Goodloe Harper and Mr. Harrison Gray Otis be excused from serving on the above committee, and Mr. Clarence Goodrich and Mr. Bayard be appointed.

January 5, 1801. Mr. Davis, Mr. Nott and Mr. Claiborne were excused from serving on the Sargent Committee, and Mr. Robert Williams, of North Carolina, Mr. Taliaferro, of Virginia, and Mr. Pinckney, of South Carolina, were appointed in their stead.

February 17. The Speaker laid before the House a letter from Winthrop Sargent, Governor of the Mississippi Territory, enclosing a petition from sundry inhabitants of the said Territory, praying that Congress will suspend the operation of so much of the act, entitled, "An act supplemental to the act, entitled 'an act for an amicable settlement of limits with the State of Georgia, and authorizing the establishment of a Government in the Mississippi Territory,'" which establishes a second grade of territorial government in the said

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Territory; and that a law may be passed extending the same privileges to the said inhabitants as have been granted to the inhabitants of the Indiana Territory.

February 19. Mr. Chauncey Goodrich, from the committee to inquire into the official conduct of Governor Sargent, made a report which was read and ordered to be committed to a Committee of the Whole House on Monday.

March 3. *Ordered*, "That the Committee of the Whole House to whom was committed on 19th ult., the report of the committee appointed to inquire into the official conduct of Governor Sargent, be discharged from the farther consideration thereof." The House then proceeded to consider the said report at the clerk's table, and the resolution contained therein being there read, in the words following, to-wit:

Resolved, That there does *not* appear cause for further proceedings on the matters of complaint for mal-administration against Winthrop Sargent, as Governor of the Mississippi Territory.

And on the question being taken by ayes and noes, it passed in the *negative*.*

This completes the record of the proceedings for the organization of the Territory, transcribed from the Journal of the House of the 5th and 6th Congress, from 1797 to 1801.

The result of the appeal to Congress was that while most of the laws enacted by the Governor and the Judges, and the fees exacted on marriages, taverns and passports, were condemned and annulled, the Governor was tacitly acquitted of "any impure or criminal intentions." The Territory was advanced to the second grade of government, which secured for it a Legislature to be elected by the people, and whose advice and consent should be had upon all nominations to office by the Governor, leaving to him the right to fill all vacancies during the recess of the Legislature, to hold until the regular meeting of that body. It took from the Governor the arbitrary power of making laws, and gave to the Legislature that power, with the right by a two-thirds vote of overriding the objections of the Governor to any law they might choose to enact. And the Legislature was to assemble at least once in every year, on a day to be designated by themselves.

This covered the whole ground of controversy, and Colonel Hutchins, Colonel West and their fellow petitioners, had nothing more to ask. Their opposition was not to Winthrop Sargent, but to the official enormities into which, as they had good reason to know, he had been seduced by the pernicious counsels of Ellicott. But his adoption of the

*It is worthy of remark that of those that voted in the negative on this occasion were three who became, in turn, Governor of the Territory, viz: W. C. C. Claiborne of Tennessee, Robert Williams of North Carolina, and David Holmes of Virginia. Voting with them were Albert Gallatin, Levi Lincoln, Joseph Heister, Nathaniel Macon, Edward Livingston, Peter Muhlenberg, John Randolph, John Nicholas, Thomas Sumpter, Samuel Smith, John Smilie, Samuel J. Cabell, and other renowned leaders of the republican or anti-federal party.

On all leading questions of public policy Messrs. Holmes, Williams and Claiborne invariably voted together. On the vote for the expulsion of Matthew Lyon, of Vermont, for spitting in the face of Mr. Griswold of Connecticut, these gentlemen separated, Mr. Holmes voting in the affirmative, Messrs. Williams and Claiborne in the negative.

But when a subsequent effort was made to expel Lyon for what was termed "a seditious writing" against President Adams, the three gentlemen referred to all voted in the negative.

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views of that obnoxious individual, his attacks on the people of the Territory in his dispatches to the Secretary of State, and the persistent effort of himself and followers, to keep the Territory in its state of subjection and vassalage, bitterly opposing its advance to a higher grade of government, caused his defeat and downfall.

April 3d, 1801. Governor Sargent, leaving his infirm Secretary, John Steele, in charge, departed from the Territory for *Boston*, to vindicate himself, and to rally a party there against the advance of the Territory, as prayed for by the people.*

*The commission of John Steele expired May 6, 1802, but he remained in the office for thirteen months thereafter, when Cato West was appointed. Steele was a chronic invalid during this time, incapable of performing official duty, but in 1804, on his petition Congress, allowed him his salary.

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CHAPTER XXII.

THOMAS JEFFERSON had just been elected President of the United States, (1801) and he informed Governor Sargent, "that from various and delicate considerations, which entered into the appointment of a Governor for the Mississippi Territory, it was expedient, in his judgment, to fill the station with another than himself, whose administration, with whatever meritorious intentions conducted, had not been so fortunate as to secure the general harmony, and the mutual attachment between the people and the public functionaries, so particularly necessary for the prosperity and happiness of an infant establishment."

DEPARTMENT OF STATE,
July 10th, 1801.

Hon. Wm. C. C. Claiborne:

SIR: The President of the United States, desirous of availing the public of your services as Governor of the Mississippi Territory, I have the honor of enclosing your commission and of expressing the sentiments of respect with which I am, sir, Your most obedient servant, JAMES MADISON.

MR. CLAIBORNE'S REPLY.

NASHVILLE, August 2d, 1801.

SIR: I have the honor to acknowledge your letter, enclosing me a commission as Governor of the Mississippi Territory. Will you be good enough to inform the President that I accept the appointment which he has been pleased to confer upon me, and shall endeavor to merit it by a faithful discharge of the duties which now are, or may be assigned to me. I know the responsibilities and difficulties of the position, but my best exertions shall be made to promote the interests of the United States, and the prosperity of the people of the Territory. I shall make my arrangements for a change of residence with all practicable dispatch, but I fear these cannot be completed before the 1st of October.

FROM THE SAME TO THE SAME.

NASHVILLE, October 7th, 1801.

To-morrow I shall certainly set out. The rivers are all uncommonly low, and I anticipate a long voyage.

I am informed that the Territorial Assembly was convened by Secretary Steele, (in the absence of Gov. Sargent,) on the 3d Monday of July last, and continued in session some five weeks. Their business was left incomplete for want of the Governor's sanction, Secretary Steele having been too ill to attend to his official duties. On the 16th of September, (my latest advices,) his life was despaired of. The Hon. Seth Lewis, in a letter dated Natchez, Sept. 3d,

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says: *It seems to be confirmed that Spain has actually agreed to give up Louisiana to France.*

I know not what grounds there are for this report, but it has prevailed in Tennessee for several months and obtained general belief.*

FROM THE SAME TO THE SAME.

NATCHEZ, November 23, 1801.

SIR: I left Nashville 8th ult., and arrived here yesterday morning. The voyage was a long one owing to the low state of the Cumberland, Ohio and Mississippi rivers. The shores of the Mississippi are fertile beyond description, apparently a vast deposit of alluvium; the accumulation of sedimentary matter during centuries of overflow. Its future of productive power and population is beyond the wildest imagination to calculate. This great delta is almost entirely unoccupied. On the western or Spanish shore there are but three petty settlements, between the mouth of the Ohio and the post of Concord, opposite this place, an interval of some eight hundred miles. Seventy miles below the junction of the Ohio is the village of New Madrid, with a small Spanish garrison. Here I halted for an hour, and paid my respects to the commandant, who received me with much courtesy. The fort has been recently burned. There are probably fifty houses occupied chiefly by people of French extraction. I was informed that, a few miles in the interior, there was a compact and prosperous settlement, the inhabitants for the most part, from the United States. Thirty-five miles lower down is a village of some twenty houses, and one hundred and fifty miles below, opposite the lower Chickasaw bluff, is a small block house garrisoned by a sergeant and twelve men. [The Spanish post of Esperanza.]

On the eastern or American bank of the Mississippi, the only improvement until I reached the Walnut Hills, was our Fort Pickering, at the bluffs below Wolf river. Captain Sparks, of the 3d regiment, is in command. He is an intelligent and efficient officer, has rendered many services to our western countrymen navigating the Mississippi, to boats in distress, to emigrants and to the sick. And he has maintained a good understanding with the Indians.†

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* This is one of the frequent instances in history, where great events seem to foreshadow themselves, apparently without human agency. The treaty of St. Ildefonso of October 1st, 1800, by which Spain retroceded Louisiana to France, was made a State secret between the two powers, and so to be kept until it could be executed. It was apprehended that, if the transfer became public before France could throw into it an army of occupation, Great Britain, then undoubted mistress of the seas, might seize New Orleans and defeat the arrangement. Great Britain had her eye on Louisiana, and had proposed a joint occupation with the United States. And on the 18th of April, 1802, Mr. Jefferson wrote to the American Minister in Paris: "The day that France takes possession of New Orleans fixes the sentence which is forever to restrain her within low water mark. It seals the union of two nations who, in conjunction, can maintain exclusive control of the ocean. From that moment we must marry ourselves to the British fleet and ocean." Five months before Mr. Jefferson wrote this memorable letter, this great state secret, which at that time had not been officially communicated to our minister in Paris, was whispered about over the western country, as we see by Gov. Claiborne's letter.

†This officer had a very romantic career. When he was only five years old he had been captured by the Shawnees, in one of their raids in Kentucky, and carried to their villages, where he was adopted into the family of Tecumseh and the Prophet. He remained there until after the victory of General Wayne, in 1794, when most of the whites among the Ohio Indians were surrendered. We next hear of him in Tennessee as Richard Sparks, which it is presumed, was his family name. He made the acquaintance of the celebrated Gen. John Sevier, then Governor of the new State, who became much interested in his adventures. Sparks looked like an Indian warrior; tall, athletic, active, with a sparkling eye and bold presence, and though wholly uneducated his conversation was impressive and fascinating. Through the Governor's influence he received a commission in the army, and was stationed at South West Point on the Tennessee, in observation of the Cherokees, and of the land speculators claiming under the State of Georgia. He soon after married Ruth, second daughter of General Sevier, who

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I take the liberty of suggesting the expediency of one or more military posts on the Mississippi, to which, it is presumed, the Indians would not object. The effect upon them would be beneficial. Our western commerce is now valuable and is rapidly increasing. On this great river navigation is dangerous. Boats are often stranded or sunk, or disabled by the illness of their crews, and except at Fort Pickering there are no stations where relief can be obtained. The immigrants, too, are greatly exposed. A few posts, to render aid, in such cases, with hospital stores for the sick, would greatly promote the commerce and the peopling of this remote territory. The humanizing effect on the Indians of such stations would soon be felt.

Colonel Steele, the Secretary of this Territory, is still living, but too low to give me any information as to the posture of affairs. The Legislature of the Territory will convene next Tuesday."

FROM THE SAME TO THE SAME.

NATCHEZ, December 12, 1801.

The Legislature assembled on the 1st inst., and on the next day I delivered an address to the two Houses. I hazard the opinion that this assembly is composed of honest men, truly attached to the Union, and to the interests of the Territory. For want of experience their proceedings may be attended with some irregularities, but with their intelligence these will soon disappear. All opposition to the second grade of government has vanished and the citizens generally seem contented with the political situation. I find myself most cordially received and shall study, on my part, to promote their best interests.

By the act establishing this Territory the powers and duties of Superintendents of Indian Affairs are vested in the Governor. I respectfully request to have those powers and duties strictly defined. Within the few days since my arrival I have received many visits from the Choctaws.

Upon looking over the official letters of Governor Sargent, I discover that he frequently complained of embarrassment with regard to the Indians, and that some instructions had been sent to him by the Secretary of State. But the communications from that office it appears, were not considered public property, and are not on file in the office of the Secretary of this Territory.

An interpreter will be indispensable to me in the performance of these duties.

FROM THE SAME TO THE SAME.

NATCHEZ, December 20, 1801.

A treaty has just been concluded with the Choctaws at Fort Adams, by which they consent to the opening of a post-road through their country to Tennessee, but refuse the privilege asked for white men to erect and keep houses of entertainment on the route. This privilege they shrewdly retain for them-

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(like the wife of Andrew Johnson) taught him to read and write, and then conducted him through the higher branches of a solid education. In 1801, he was stationed at Fort Pickering (Memphis) in the Chickasaw nation.

He accompanied General Wilkinson and the army to Natchez, and was stationed at Fort Adams and Baton Rouge. He became Colonel of the 2d Infantry. Died in the house of Col. Daniel Burnet, at the Grindstone ford, Claiborne county, Miss., July 1st, 1815, and was there buried. In an old Nashville paper his death is thus quaintly announced:

EXTRACT FROM A LETTER FROM THE CHOCTAW AGENCY, DATED 8TH JULY, 1815.

"About the 1st inst., the corruptible part of our friend Col. Richard Sparks, late of the 2d Infantry, was relieved from duty, and put in snug quarters till the grand reveille shall awaken the armies of the universe for a final review and promotion, when honest men will have a preference, whatever may have been their politics. The Colonel of course stands a good chance."

Mrs. Sparks, a lady of great beauty and noble character, survived him and became the wife of Daniel Vertner, Esq., of Burlington, near Port Gibson, so well remembered for its elegant hospitalities.

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selves. They desire looms and farming implements, and the exclusion of liquors from their country.

The river front here is thronged with boats from the west. Great quantities of flour and other produce continually pass. Cotton, the staple of this Territory, has been very productive and remunerative. I have heard it suggested by our business men that the aggregate sales this season will exceed $700,000; a large revenue for a people whose numbers are about 9000, of all ages and colors. Labor is more valuable here than elsewhere in the United States, and industrious people soon amass wealth. This undeniable prosperity has silenced the clamor against the second grade of government, which was chiefly based on the increased expense and taxation, and the inability of the people to endure it.

The Legislature is engaged on a new judiciary system. The manner in which the Superior and Inferior Courts have heretofore been arranged, is generally condemned. There is certainly room for improvement. One-half perhaps more, of the citizens, have no confidence in the Judges. The Legislature participates in this feeling and will, I fear, be inclined to legislate more against men than upon principles. It is an unpleasant state of things, and will be for me the source of much trouble. A late decision made by the Superior Court for this Territory has occasioned much complaint, and roused the sympathies of the Legislature. Subsequent to the ratification of the treaty between the United States and Spain, and shortly before this district was evacuated, the Spanish governor granted to certain of his favorites, much valuable land, and to evade objections, these grants purported to have been made previous to the treaty. In some few cases these fraudulent grants were made of lands which had been previously granted in good faith. And in a case of this kind where suit had been instituted, the holder of the fraudulent grant (which falsely bore a date older than the *bona fide* grant) obtained a recovery. In the Inferior Court, where the suit commenced, parol testimony was admitted to invalidate the ante-dated grant, and the defendant had a verdict. But upon appeal to the higher court parol testimony was declared inadmissable, and the judgment below was reversed. This case is generally considered a very hard one, and the Legislature, to afford a remedy, contemplated a law authorizing the admission of parol testimony; but on my intimating that, for the present, I could not assent to such a measure, it has been dropped. A statute for the admission of parol testimony to disprove and invalidate a record, would be a grave innovation upon the law of evidence. Yet I can see no other way by which these frauds can be set aside, unless indeed, as I think, a court of chancery would reach the case. And most of the lawyers here think it would not. I should be happy to have your opinion on the matter.

The Legislature will give me, I think, in pursuance of my recommendation, an effective militia law. My predcessor, notwithstanding strenuous exertions, was unable to organize the militia, and I found the Territory wholly defenceless.

We require five hundred muskets and as many rifles, which I hope will be sent as early as practicable. Bordering on a foreign power—separated from the nearest State by a wilderness of six hundred miles—with numerous savage tribes enveloping our settlements, and a servile population nearly equal to the whites—an armed militia is essential to both safety and tranquility.

The report still prevails that Louisiana and West Florida have been ceeded to France. The fortifications at New Orleans are much neglected and in a ruinous condition."

FROM THE SAME TO THE SAME.

NATCHEZ, January 8th, 1802.

The Legislature progresses slowly, but their proceedings evince a careful attention to the public interests.

Political excitement has nearly disappeared. The only discontent is with the Judges. I have endeavored to allay this feeling and restore confidence, but ineffectually. The Chief Justice, Mr. Lewis, is a learned lawyer, and a man of talents. But his colleagues, Messrs. Tilton and Bruin, (however amiable in private life,) have not had the training for the bench. The former, it is said, read law for a few months, but never practiced. The latter was

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brought up a merchant. The litigation here will involve conflicting titles to vast tracts of valuable land, and will demand profound legal attainment on the bench. If these gentlemen, or either of them, should resign, as is now rumored, I respectfully urge the appointment of thoroughly trained lawyers, of the highest character.

The Legislature is now considering a bill to vest in the Superior Court an equity jurisdiction, introduced specially to reach the antedated land grants heretofore referred to. They are numerous and threaten much trouble. Col. Steele continues in bad health and I am much inconvenienced for aid in my office."

FROM THE SAME TO THE SAME.

NATCHEZ, February 5th, 1802.

The old factions still survive to some extent. It is gratifying to me to know that they were created before my arrival. I believe I have firmness enough to be independent of any of them, and virtue sufficient to be just to all.

The Legislature will probably adjourn in a day or two. With patriotism and honesty, they are liberally endowed, but lack experience, and are consequently slow. Most of the laws passed by Governor Sargent and the Judges, have been repealed, and almost an entirely new code substituted.

A law to prohibit the importation of male slaves, above the age of sixteen, passed the House, but was rejected by the Council. This class of population is increasing rapidly, and will, sooner or later, be a great public evil. But the culture of cotton is so lucrative, and personal labor so valuable, it creates such a demand for negroes that we shall soon be overrun from the older States, and probably by the most abandoned of that unfortunate race.

I hope you will approve the enclosed letter to General Wilkinson, urging him to establish at this place, a small arsenal of the surplus arms now at Fort Adams, with one company in charge. We are now defenceless and without arms.

A violent dispute has sprung up between the Legislature and the Chief Justice, (who has many friends,) and they have taken steps to procure his removal or impeachment. They adjourned on the 2d instant. The acts are not voluminous, but the printing and publishing will probably be tedious and expensive. The people complain that they are ignorant of the laws. The fact is so, but it is not in my power to offer a remedy. The only printer in this Territory (and he is a novice in the profession) has been employed, on high wages, to print the laws* The work is going on, but from the want of type, a good press and assistance, it cannot be completed for several months. I am surprised that printers from the older States do not turn their attention in this direction. I know of no quarter where a well-conducted paper would be more lucrative and of more advantage to society.

The appointments made by Governor Claiborne up to the 1st April, 1802, were:

Abner Green, of Adams county, Treasurer-General for the Territory.†.

JUSTICES FOR ADAMS COUNTY.

Abram Ellis, James Terrall, Adam Tooley, Caleb King, George Fitzgerald. Daniel Kerr, Sheriff; Peter Walker, Clerk County; John Henderson, County Treasurer; Robert Stark, Clerk Adams District Court; Abner L. Duncan, District Attorney; Archibald Lewis, Clerk and Master in Equity for Adams District.

JUSTICES FOR JEFFERSON COUNTY.

Cato West, Thomas Calvit, Jacob Stampley, Henry Green.

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*James Terrall was appointed Printer to the Territorial Legislature.

†The same gentleman who had been appointed, by the Governor of Georgia, Register of Probates for the county of Bourbon. He was a model planter, and owned the Grange plantation on Second Creek.

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John Girault, Clerk County Court; Daniel James, Clerk District Court; Felix Hughes, Master in Chancery.

JUSTICES FOR WASHINGTON COUNTY.

John Caller, John Johnson, James Fair, Joseph Thompson, John McGuire, Thomas Bassett, John Brewer, John Henson.
Richard Lee, Clerk County Court.

JUSTICES FOR CLAIBORNE COUNTY.

Wm. Downs, G. W. Humphries, James Stanfield, Ebenezer Smith, Daniel Burnet, James Harman.
Sam. Coburn, Sheriff; Matthew Tierney, Clerk County Court; Samuel Gibson, Coronre.

JUSTICES FOR WILKINSON COUNTY.

John Ellis, Hugh Davis, John Collins, Richard Butler, Wm. Ogden, Thomas Dawson.
Henry Hunter, Sheriff; Samuel Lightner, Clerk County Court.

MILITIA OFFICERS, 1ST REGIMENT.

Benijah Osman, of Adams, Lieutenant-Colonel; Abram Ellis, of Adams, Major; Richard King, of Adams, Major.

FOR JEFFERSON COUNTY, 2D REGIMENT.

Zachariah Kirkland, Major; Wm. Thomas, Major.

WASHINGTON COUNTY, 3D REGIMENT.

John Caller, Nathaniel Christmas, Majors.

FOR CLAIBORNE COUNTY, 4TH REGIMENT.

Daniel Burnet, Lieutenant-Colonel; Wm. Nealy, Major.

FOR WILKINSON COUNTY, 5TH REGIMENT.

John Ellis, Lieutenant Colonel: Richard Butler, Major.

ARTILLERY IN NATCHEZ.

Samuel Postlethwaite, Captain; Jos. A. Parrott, 1st Lieutenant; Joseph Newman, 2d Lieutenant.
J. E. Trask, Brigade Major and Inspector.

These were all representative men, opulent planters, and prominent merchants and mechanics, including the only printer in the Territory.* The descendants of most of them are still numerous and influential in Mississippi, Alabama and Louisiana.

The Governor attended the regimental musters, in the several counties, where he addressed the militia and was most cordially received.

1802. About this time, the Territory was much excited by the robberies and murders perpetrated by Mason and Harp. The Governor addressed the following note to Colonel Daniel Burnet:

"I have information that a set of pirates and robbers, who alternately infest the river and the road, have their rendezvous in the cane-brakes near Walnut Hills. A certain Samuel Mason, his son John, and a desperate villain from Kentucky, one Wiley Harp, are the reputed leaders of this banditti. They have long been robbers and murderers, and the two former are well known at Natchez. They recently attempted to board the boat of Colonel Joshua Baker, between the mouth of the Yazoo and the Walnut Hills, but were deterred by his show of arms and preparations for defense. These men must be arrested. The crimes of Harp are many and atrocious; and the others are nearly as bad. I wish you to place yourself at the head of fifteen or twenty picked men, and

*Newspaper men had some chance in those days.

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scour the woods from the Bayou Pierre to the Yazoo, and capture the villains if possible. I have written to Lieutenant Rennick, 3d United States Regiment, Walnut Hills, and to the officer commanding United States troops, mouth of Bear Creek, Tennessee river, soliciting their co-operation, but I hope that the credit of arresting them may fall on you."

The Governor offered a reward of $2,000 for their capture.

Harp, soon after, separated from the band, and went towards Kentucky, where he and his brother, some time after, paid the penalty of a long career of atrocities. Mason and his gang one day robbed a traveler, and took from him a copy of the Governor's proclamation. He had had some words with two of his party, and, on one occasion, when only the chief and these two men were in camp, and he was asleep, they shot him, cut off his head and set out with it to claim the reward. Circuit Court was in session in the old town of Greenville, Jefferson county, when they arrived. They went before the Judge to make their affidavit and get a certificate to the Governor. The head was identified by parties who knew Mason well, but just as the Judge was in the act of making out a certificate, a traveler stepped into the court house and requested to have the two men arrested. He had alighted at the tavern, had repaired to the stable to see his horse attended to, and there saw the horses of the two men who had arrived just before him. He recognized the horses as belonging to parties who had robbed him and killed one of his companions some two months previously on the Natchez trace, and going into the court house he identified the two men. They were tried, convicted and executed at Greenville. With the death of their chief and the departure of Harp, the gang dispersed, and for many years there were no more highway robberies in Mississippi.

This is the account usually given by Mason's gang, and is substantially repeated by Thomas Reed, Esq., a leading member of the bar, in his minute and very interesting Centennial history of Jefferson county.

In 1813, John L. Swaney, the old mail rider between Nashville and Natchez, gave to the editor of the Gallatin (Tenn.) Examiner, a different version of the story:

"Mason originally lived near Cross Plains, in Robertson county, Tennessee, and went from there to the Natchez country and organized his band, which consisted of his two sons, Tom. and John, and six or eight other men. Tom. Mason, senior, (the Governor, in his proclamation, calls him John,) was then about fifty years old, weighed some two hundred pounds, and was a fine looking man; rather modest and unassuming, and no appearance of the brigand. He frequently encountered me and the other mail riders on the route and was always anxious to hear what was said of him. He often told me not to be afraid of him as he was after money and not letters, and that he did not wish to hurt any one, but money he must have. His band was the terror of every trader. Traders, in those days, went down the river in flats, sold their produce for dollars or doubloons, which they packed on ponies and came through on foot, in gangs of five or ten men. Before leaving Natchez, they had to supply themselves with provisions, as there was then no accommodations on the road, in the Choctaw country, except at the Agency.*

*When General Wilkinson was negotiating a treaty with the Choctaws at Fort Adams, in 1801, after obtaining permission to have the road opened to the Chickasaw line, (where it would intersect the road leading by Colbert's ferry to Nashville,) he proposed that a certain number of white families be allowed to settle thereon to keep entertainment for travelers. This they shrewdly refused, but

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Mason usually kept an intelligent man at Natchez to observe these outfits, and thus would have notice of the approach of travelers and their strength. When they effected a robbery they not only got the money, but provisions for their stay in the woods. After the Governor's proclamation, Mason and his gang were closely hunted by the whites and Indians, and, having made some narrow escapes, they quit the country and crossed the Mississippi, to somewhere about Lake Providence, in the then Spanish Territory. Says Swaney:

"On one of my return trips from Natchez, I fell in with the wife of young Tom Mason, carrying a baby and a small sack of provision in her arms. She was making for the Chickasaw Agency, to go thence to her friends. She begged me to help her on her way, which I did by placing her on my horse. I did this for a day, and made up the lost time by traveling all night. Mrs. Mason told me they were all safe and out of reach.

Sometime after this, two men, calling themselves Sutton and May, brought to Greenville, Jefferson county, Mississippi, a man's head, which they said was Mason's, and called on myself, and others, to identify it, so they might get the reward. They failed completely, and unable to account for the head they were charged with murder, tried and sentenced to be hung. On the day of the execution, one of the guards, John Bowman, from Knoxville, recognized one of the condemned as Little Harp. He denied the name; but Bowman persisted and said if you are Harp, you have a scar under your left nipple where I cut you in a difficulty we had at Knoxville. Bowman tore the man's shirt bosom open and there was the scar."

Harp was a notorious robber. There were two brothers—one a large man called the Big Harp—this one, a small man, called Little Harp. Swaney says he knew them at Knoxville when he was a race rider, and that he rode the race at Knoxville when they were broken up by Sam. Gibson and party. The night after the race, the two Harps killed and robbed an old man two miles this side of Knoxville, and ran away to Kentucky, where they robbed and committed so many outrages that a company of men set out to hunt them down. They found them and killed the Big Harp—the Little Harp making his escape—and he says, no doubt in his mind, was hung with Sutton at Greenville, Mississippi.

After Mason's band was dispersed, other men, encouraged by Mason's success, tried it, but never got as much money as the Masons.

Captain W. L. Harper, of Jefferson, in his eloquent centennial address, gives still another account, differing from Major Reed's and Swaney's, but all of them agreeing in some particulars. Swaney, however, was an eye-witness of the execution—the only living witness, perhaps, and he is reported to be a man of truth. Many of his statements about matters that transpired here in those days we know to be strictly accurate. Captain Harper says:

"Governor Claiborne offered a large reward for the capture of Mason, the leader of the band that infested the road. Mason's family then resided in this county, not far from old Shankstown, and his wife was generally respected as an honest and virtuous woman, by all her neighbors, and one of her sons was a worthy citizen of Warren county not many years ago.

The reward tempted two of the band to kill Mason, or some one they said was Mason, and bring in his head to Greenville for recognition. Many fully identified it by certain marks thereon, except the wife, who as positively denied it. The Governor had sent his carriage for her expressly to come down and testify. But some parties had recognized in the claimants two men who, along with Mason, had robbed them but a short time before, when they were arrested, tried and hung, thus getting their reward, but not exactly in the way they

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as soon as the road, usually known as the old Natchez trace, was opened, the La Fleurs, and other half-cast families, moved to it and made lots of money keeping entertainment for travelers.

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sought. They gave their names as May and Sutton, and many believed Mason fled the country and died in his bed in Canada.

With the execution of these men highway robbery ceased, and the Natchez trace became pefectly secure. This was due mainly to the settlement on the road of numerous respectable Indian (half-blood) families, who attracted many of their people to settle around them. The Choctaws never robbed nor permitted robbers to live among them. Honesty on the part of the men and chastity of the women were characteristics of the Choctaw people, the real proprietors of the domain of Mississippi, whose traditions have been preserved in the names of our streams and counties, which should ever remind us, and our posterity, that when we were but a feeble people they fought for us the martial Muscogee; and when we had become numerous and opulent, in the darkest days of our history, when pressed to the earth by a superior adversary, when we had no reward to hold out, only our broken lances and shattered shields, they came to our aid, and shared with us the doom of the vanquished! Mississippi, if she survives for a thousand years, as God grant she may, should never forget the brotherhood that binds her to this noble race, born under her own stars and skies.

1802. The Legislature was again in session, passed a number of laws, established Jefferson College, and elected Col. Thomas M. Green, of Jefferson, to Congress, to supply the place of the Hon. Narsworthy Hunter, who had died in Washington.*

The seat of government was established in the town of Washington.

The printer not having completed the printing of the laws, Edward Turner, a young lawyer, was employed to make a number of copies, and received a warrant on the Treasury for $36.00. Economical days!†

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*Thomas Marston Green, an accomplished gentleman and most useful citizen, was the son of Col. Thomas Green, the head of a numerous family and influential connection. He was a Virginian, an officer of the Continental army. Removed to Georgia, and was associated with Gen. George Rogers Clarke and Gen. Elisha Clark of Georgia, in their scheme for an attack on the Spaniards. Colonel Green, with a large party of friends, went to the Holston, built boats and descended the Tennessee to its mouth, expecting there to find Gen. George Rogers-Clarke and his party, but not finding them, and being unable to ascend the Ohio with their boats they continued on to Natchez. Col. Green had an interview with the Spanish Governor, and claimed the entire district for the State of Georgia. He was a bold, determined and persistent man. The Spanish authorities finding that he was likely to excite a tumult had him arrested and sent to New Orleans. His devoted wife soon followed, and from exposure and anxiety died shortly after her arrival. This touched the heart of the Spanish Governor, and Col. Green was released. The family settled on the waters of Cole's creek, in Jefferson county. Col. Cato West and Gen. Thomas Hinds were his sons-in-law, and by intermarriages it constituted one of the largest connections in the district. His son, Abner Green, married a daughter of Col. Hutchins.

†A native of Fairfax county, Va., moved at an early age to Kentucky, thence to Mississippi in 1801. Clerk of the Legislature, Register of the Land Office, Attorney General, Circuit Judge, Chancellor, Judge of the Supreme Court, he ran a long career of usefulness and honor, and died just before the late civil war, without an enemy.

EXTRACT OF A LETTER FROM JUDGE TURNER.

"When I first came to Natchez I brought a letter of introduction from Gen. Green Clay, of Kentucky, to his uncle, Col. Thomas Green. This led to my intimacy with the Greens, Hutchins, Wests, and their extensive connections, and to my marriage with a daughter of Col. West. Gen. Clay, (father of Cassius) had

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1802. A warrant was issued in favor of James Patton, upon the certificate of Hugh Davis and John Collins for marking out the road from the national boundary, 31° north latitude, to Natchez, what is now known as the Woodville road.

FROM JAMES MADISON TO GOVERNOR CLAIBORNE.

DEPARTMENT OF STATE, May 11, 1802.

I enclose the opinion of the Attorney General in the conflicting land claims referred to by you. Although the praseology used by him does not refer to the technical distinction between a chancery and common law jurisdiction, the former having no distinct establishment in the Eastern States, yet you will find your idea justified that equity can always relieve against fraud. Your Territory, both in its infant and frontier character, demands concord and unity. We rely much on your patriotic dispositions and prudent counsels, which as they develop themselves, cannot fail to inspire the well meaning with confidence and to repress the mischief making proclivities of others."

OPINION OF LEVI LINCOLN, ATTORNEY GENERAL, UNITED STATES.

It does not appear from Gov. Claiborne's letter, or from the letter of Lyman Harding, Attorney-General of the Territory, what were the pleadings in the action in which evidence of fraud in the dating of a grant was excluded; what was particularly in issue; why it was done; whether it was from the idea that the evidence was not of the proper kind; or the best which the nature of the transaction admitted of; or that the witnesses were considered incompetent from being interested in the question or in the cause. Nothing can be clearer than that all grants made by the Spanish government, after the ratification of the treaty, by which the district was ceded to the United States are void. A claimant who had in fact obtained a patent or a title before that time under the Spanish, or since under the United States, can alone hold by his grant. There being no question of a right by mere possession in the way, and indeed such a right to vacant lands can never exist against Government. The only question is, when was the patent granted; not when was it dated, or what is its date. The delivery of a deed is a consummating act by which and from the time of which it takes effect and operates. Its delivery may be before or after its date. An antedate, a subsequent or no date is material only as proof of delivery, until which there can be no deed. But prima facie, every deed shall be delivered on the day of its date, and to be made fairly and in good faith. These presumptions are, however, controllable by proof. The executions of all deeds must be proved. If their validity is questioned any evidence which will show any of their essential parts to be different from what they are presumed to be, and in favor of

married my cousin. I was one of the aids of Governor Claiborne, and accompanied him and his staff, all in full uniform, to review the regiments in the different counties. This was the first the people here ever knew of citizen soldiers. The Governor was a fine speaker, with a clear, ringing voice, very fluent and graceful, and the regiments forming into a square he addressed them very eloquently, in regard to their rights and duties. Gov. Sargent never could organize the militia, and few men would accept his commissions.

The Spaniards had no public schools in Natchez, and only one or two private tutors. In Gov. Claiborne's time Jefferson College was incorporated. An association formed in Jefferson county for the acquisition and dissemination of useful knowledge. We held our meetings at Villa Gayoso.‡ I delivered the first address and it drew down on me the opposition of the whole Sargent party. A similar association was established in Natchez, and excellent schools in each county."

‡Villa Gayoso was on Cole's creek, in Jefferson county, (not far from the river) where Gov. Gayoso erected a sort of chateau as a summer residence, and posted a small garrison. The land was claimed by Everard Green (son of Col. Thomas Green) and was in controversy between the parties when the Spaniards left the district. It was turned over by the Spanish authorities to Capt. Guion as public property, and he stationed there to hold it for the United States Corporal Diddup and five men.

The Green family are now and long have been in possession of the premises.

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a third person, must be admitted. Delivery is indispensably requisite to be established by evidence foreign to the date of the deed, or anything contained in it. There is a difficulty in conceiving how evidence to this point could be excluded by the Supreme Court of the Territory. The warrant of survey, petitions, certificates and plats under the Spanish government, and which are said to be in New Orleans, can be of no use but to show the real time when the patent was granted. Where there are interfering grants and the question is which was first made, and there is no registry or record to decide it by, nor any statute mode of ascertaining the matter, the greatest latitude should be given for the admission of evidence, and especially in suppression of fraud. If it should be necessary to procure evidence in possession of the Spanish government, I should suppose an application by a party interested, or by the Governor of the Territory, would be sufficient. Mention is made of an action being brought by a Mr. Green against the United States for the recovery of lands and buildings, in which after verdict for the demandant a new trial has been granted. It is not perceived how an action could be brought against the United States. It may have been against an individual possessing or claiming to possess under them. As no case is stated I do not see how government can be bound by any verdict which may be given in the case."

GOVERNOR CLAIBORNE TO SECRETARY OF STATE.

"The Spanish Governor was extremely liberal in his grants after the promulgation of the treaty, and many tracts are claimed under ante-dated instruments.

The compromise between the United States and Georgia is very acceptable to most of our citizens, and I hope it may be acceded to by Georgia. If so, and an office for the disposal of lands should be speedily opened, the population of this Territory will rapidly increase. Our neighbors below, and to the westward are very friendly, and I flatter myself the same amity will subsist if the French get possession; but I confess I shall regret the exchange. In the course of the negotiations between the nations for territory, I wish the United States could possess themselves of East and West Florida, and the island of New Orleans."

1802. The following appointments were announced: Wm. Erwin, Wm. Shaw, Jesse Weathers, Henry Mannadier, Abner Pipes, John Dennis, Justices for Jefferson county. John Henderson, Joseph Erwin, Joseph Sessions, Wm. Darby, Abner Green, Walter Burling, Sam Boyd, Justices for Adams. James Harman, for Claiborne. Joseph Pannel, Joseph Johnson, Reason Webster, for Wilkinson. Thomas Green, Sr., county treasurer for Jefferson. John Brooks, sheriff.

In these days of profuse expenditure and official corruption, the following letter will be read with astonishment, particularly when it is remembered that the writer was governor of a new territory requiring, from its peculiar position, an extensive correspondence, and that he was superintendent of Indian Affairs which demanded constant correspondence with the various local agents, and numerous record books for said correspondence:

FROM GOVERNOR CLAIBORNE TO THE COMPTROLLER OF THE TREASURY.

1802. I transmit the account of S. Postlethwaite & Co., for stationery furnished my office during the last six months. The charges are such as are customary here, and I have, therefore, paid the bill. If this account should be passed by the accounting offices, I will thank you to advise me.

This stationary bill was just thirty-seven dollars!

By authority from the War Department, the governor selected and purchased from Thomas Calvit, at $15.00 per acre, fifty acres, for a

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cantonement about four hundred yards outside the town of Washington, which became afterwards the general rendezvous of the United States troops in this quarter.

A supply of muskets were sent to the Governor, which he was authorized to sell to the militia at eight dollars apiece. He expressed his acknowledgements, but wrote: "I find the people are much prejudiced against muskets, and are unwilling to depend on any arm but the *rifle*, the weapon of their fathers." Yes, and in the hands of their sons and grandsons the Mississippi rifle became historic, and is gloriously identified with many fields of fame.

Trading houses were established under the supervision of the Governor on the Tombigbee for the Choctaws, and near Fort Pickens for the Chickasaws. The first goods sent to the former, were confided to Lewis Le Fleur, a Canadian, father of the late Colonel Greenwood Le Fleur. He carried them in a keel boat from Natchez, down the river to Manshac, thence down the Amite, across the Lakes, and up the Tombigbee to Fort Stoddard, the point of delivery.* Joseph Chambers was the first factor, and George S. Gaines, his clerk, and successor.

Edward Turner was appointed Clerk for Jefferson county, vice Colonel John Girault.

In January, 1802, Judge Tilton, one of the three Superior Judges of the Territory, went off, without leave or notice, to New Orleans and sailed for Europe on a commercial adventure.

Governor Claiborne, in communicating this to the Secretary of State, said: "This, I submit, is such an abandonment as will authorize an immediate appointment, and I recommend David Ker, Esq., of this Territory, a learned lawyer and an upright man, who would fill this high office with credit.

Colonel Steele's commission, as Secretary for this Territory, expired on the 7th May, since which he has not considered himself bound to attend to any business. This greatly adds to my labor, and I hope an appointment will soon be made."†

John Pitchlyn was commissioned United States Interpreter for the Choctaws, and sub-agent; a position he long and faithfully held. He was first employed in 1786, by the commissioners at the treaty of Hopewell. In 1792, he was re-commissioned by Governor Blount, and in 1802, re-appointed by Governor Claiborne.

David Ker appointed Clerk of Adams county, vice Peter Walker.‡

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*Fort Stoddard was then commanded by Lieutenant P. P. Schuyler, United States Army, who rose to the rank of Colonel retired; became a merchant in Natchez and State Treasurer, and there died of yellow fever, universally lamented.

†Col. Cato West was appointed to succeed Col. Steele. Col. Steele lived and died at the place now owned and occupied by Aylithe Buckner, Esq.

‡We first hear of this gentleman as connected with the Presbytery of Temple Patrick in the north of Ireland. Although born in Ireland, he belonged to the historic family of Kers, in Scotland. In 1789, his name appears as a member of Orange Presbytery, North Carolina. In 1790, he was residing in Fayetteville as a minister, and in charge of a classical academy. In 1794, he was a Professor in the University of North Carolina. Removed to Lumberton, where he became a merchant and studied law. Removed with General Willis, of Lumberton, to Mississippi, in 1800, where he was soon appointed clerk and afterwards Judge, and died in 1810. The late Dr. John Ker, a very distinguished physician of Natchez, was his eldest son.

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Jacob Guice, James Nelson and F. L. Claiborne, Justices for Adams county. Samuel Cook, for Claiborne county. Thomas Malone, Clerk of the Superior Court, and Nicholas Perkins, Attorney-General for Washington county.

1802. General Wilkinson had been ordered to re-trace and mark the boundary between the old Natchez district and the Choctaws, which had been established when Great Britain had possession of West Florida. Before the commission could be executed, Governor Claiborne received the following from the Choctaw Agent, Colonel McKee:

MOUNT DEXTER,* September 12th, 1802.

SIR: Information has been given here that the white people are settling in advance of the Rocky Spring, [in the present county of Claiborne,] eastward. That place has heretofore been generally considered as a point through, or near which, the line would pass. But whether so or not, since the line is soon to be re-marked, any extension of settlement will excite uneasiness in the nation, and embarrass the commissioners in retracing it. This report has already excited considerable uneasiness in the upper towns, and to such a degree that I fear the settlers will not be safe until the line be established.

In consequence of this letter the Governor instructed Colonel Daniel Burnet, of the 4th regiment, M. M., to "proceed immediately to the settlements referred to, advise the people of the facts, and direct them to retire to some place at least one mile south and west of Rocky Springs, until the boundary could be determined. The settlers on receiving this advice, quietly removed—a striking proof of the good order that prevailed.

He addressed, at the same time, the following letter to Samuel Mitchell, Agent for the Chickasaws, manifesting an interest in their well-doing which, it is hoped, will always be cherished here:

"I am pleased with your efforts to advance the happiness of our Chickasaw brethren. I hope, under your tutorage, that they will soon acquire the habits of civilization. Exert all your influence to induce the men to have fixed abodes and to cultivate the soil, and encourage the women to habits of domestic life. Continue to supply them with wheels and cards, scissors, thimbles, needles and thread. Retain a competent weaver constantly in your employ, and persuade a few young girls to learn the art from him. A competent man, of undoubted morals, must be procured, who must take the necessary pains to teach them, and I will see him liberally compensated. It is desirable to place a few intelligent Indian lads with your wheel-wright and black-smith. In all cases, it is my express injunction that the white mechanics, you are authorized to employ, shall be men of sober habits and of a good character. They are to be there not only as artisans, but as teachers, to set an example to an untutored people, entrusted to my guardianship by their great Father, the President, and he demands that they shall be treated as his children, and not, in any instance, be exposed to the evil example of bad white men. Say to my old friend, Major Colbert, that his wish to have his son educated in and by the United States shall be promptly recommended by me, and, I doubt not, will be so directed by the President. A trading house, for the accommodation of the Chickasaws, has been established at the Bluffs, and the factor has been instructed to sell at prices merely to cover cost and charges. Complaint of undue charges must be made, through you to me.

You did right to exert your influence for peace between the Chickasaws, Choctaws and Osages. The United States is bound by treaty to restrain the tribes within their limits from warring against tribes in the Spanish dominion."

The following correspondence between Mr. Madison, Secretary of

*Now Clinton, in Hinds county.

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State, and Governor Claiborne, is a clear exhibit of the complicated and distracted condition of the Territory at that time, in relation to land claims and conflicting titles. It covers the whole ground, and will explain what few have a clear conception of:

MR. MADISON TO THE GOVERNOR.

1802. "Herewith enclosed is a copy of the agreement entered into on the 24th April, last, between the Commissioners of the United States, and those on the part of Georgia, duly authorized for that purpose, which agreement was ratified by the Legislature of that State on the 16th June last.

According to the act of Congress of May 10, 1800, the Commissioners of the United States authorized to settle the terms of a compromise with the State of Georgia, are further authorized to inquire into the claims which are or shall be made by settlers, or any other persons whatever, to any part of the lands in question, and to receive from the claimant propositions of compromise, and lay a full statement of the claims and propositions, together with the opinion of the Commissioners thereon, before Congress for their decision.

Of the claims to be made a part is defined and recognized in the 2nd article of the agreement, under the head of grants legally executed to actual settlers within the Territory ceded to the United States prior to the 27th October, 1795, by the former British Government of West Florida, or by Spain. And under the head of claims derived from any actual survey or settlement made under the laws of Georgia, passed February 7th, 1785, entitled "An act for laying out a district situate on the river Mississippi, and within the limits of the State, into a county to be called Bourbon."

To enable the Commissioners to make the proper report to Congress on this part of the subject, you are requested to furnish them with the best information you can obtain; *first*, with the extent of territory on the Mississippi and Mobile which has been relinquished by the Indians. *Secondly*, with respect to the claims recognized by the second article of the agreement with Georgia. To make this last information as full and accurate as possible, it may be well to invite the claimants by public advertisement to file, prior to the 1st November, before the proper county officers, the particular authority and extent of their respective claims, and the chain of title derived to the present claimant, from the original title. The commissioners hope that you will be able to state to them particularly the manner in which grants were made and completed under both the British and Spanish governments, this information being necessary for the use of Congress in carrying the second article of the agreement into due effect. Should it be found impossible to render the information on these points complete, you will notwithstanding be pleased to forward the best you can collect.

The other claims to be enquired into, and which though not recognized, fall within the report to be made to Congress, are:

First, and principally, such as are grounded on alleged grants of Georgia, subsequent to the Bourbon county act. With respect to *these* claims it is not desired that you should make any public call for information, but you will oblige the commissioners by inquiring and communicating, what, or whether any steps, have been taken in behalf of the claiming companies towards settling, selling out or surveying any *part* of the lands; and particularly whether any tract is now actually occupied by any of these claimants.

Secondly, Claims, if any, derived under the French government previous to the peace of 1763.

Thirdly, Claims derived under the British and Spanish governments previous to the treaty of 1795, but unaccompanied by actual settlement at the date of the treaty.

Fourthly, Claims derived under the Spanish government by grants made subsequent to the Spanish treaty of 1795.

Fifthly, Claims founded on the third section of the Bourbon county act of Georgia.

The four last description of claimants may also be publicly invited to hand in a statement of their respective claims by the 1st November, that they may be transmitted by you, in due time, with the others. It is proper that the

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claimants in these cases should be aware, that their claims not being included in the guarantee of the second article of the compromise with Georgia, the consideration of them by Congress will be barred, by the third article, after the period of one year from the assent of Georgia to the instrument of compromise.

In calling for the information wished from the claimants not included in the guarantee, it will occur to you as proper to use a language neither committing the government on one hand, nor damping expectations too much on the other. It being uncertain what degree of strictness or liberality may be exercised by Congress, the present measure must be limited to the collection of such information as may enlighten or influence their decision. With this view you cannot be too particular in explaining the nature and extent of the several classes of claims, to which may be added the number of persons who will be affected by the decision on each class. It may be satisfactory also to know the general sentiment and expectations prevailing in the Territory on the subject.

Should there be claims of any sort within the Territory which have escaped the above enumerations, you will oblige the commissioners by adding a particular account of them, communicating at the same time your estimate of the extent and dimensions of the territory not claimed by the Indians; of the aggregate quantity of land covered by claims under the second article of the compromise, and the like aggregate of all other claims.

It need not be suggested to you that where records of claims exist, suitable extracts from them will be proper, and that it will be expedient to complete and transmit your communications with as little delay as possible.

It only remains for me to ask your indulgence for the heavy task which is imposed on you, and to assure you of my great respect and esteem."

This was "a heavy task" indeed, to impose on one who had not been eight months in the country, and who during that time was charged with the administration of a new Territory, distracted by party feuds, and with the management of two powerful tribes of Indians. It was a task which the commissioners should properly have executed, and which they were liberally paid for. Yet while they loitered in their places of ease, the duty was demanded of a hard working officer, without the slightest hint of compensation. Many functionaries would have slurred this exaction over, but the conscientious Governor grappled to it, and on the 5th November made the following exhaustive report:

GOVERNOR CLAIBORNE TO MR. MADISON.

WASHINGTON, M. T., November 5, 1802.

In conformity with your request the claimants of land, (of the several classes specified by you) were invited by public advertisement, to file, "prior to the 1st day of November, before the clerks of the several county courts, the particular authority and extent of their respective claims, and the chain of title derived to the present claimants from the original title." I had hoped that there would have been such a general compliance with this request, as to enable me to make a full and accurate estimate; but, from various causes, the reports are not as general as had been anticipated. Some few claimants, whose titles are believed to be good have not reported, either through inattention, indifference or some other motive. Others have held back apprehending that some flaw might be detected, or really because a link in the chain of title may be missing. But the main reason is that as soon as my public notice was given, some designing persons circulated the report that this call for titles was intended to operate against the holders, and many were thereby deterred from making their exhibit.

But upon the returns made, I will endeavor to answer your inquiries in the order you have put them:

First. With respect to the extent of territory, on the Mississippi and the Mobile, which has been ceded or relinquished by the Indians.

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Until the boundary line between the United States and the Choctaws shall have been restored and marked, the quantity of land in what is known as the old Natchez district, cannot be accurately ascertained; but from the best information, it is conjectured that there may be some 2,500 square miles, or about 1,600,000 acres, which comprehend the present counties of Wilkinson, Adams, Jefferson and Claiborne.

On the Mobile, it may be assumed, without pretending to accuracy, that there may be some 4,600 square miles, or near 3,000,000 of acres, embraced in the present county of Washington.

The greater part of the land on the Mississippi, above referred to, is very fertile and productive. Of the 3,000,000 on the Mobile, one-third of it may be classed as arable, and on the margin of the rivers exceedingly rich; the other and larger portion is denominated pine barren, valuable for timber and pasturage, but not adapted for agriculture.

A map indicating the settled portion of both districts is herewith transmitted.

Second. With respect to the claims recognized in the 2d article of the agreement between the United States and Georgia.

These claims may be classed under three distinct heads:

First. Grants by the British government prior to the 27th October, 1795, to actual settlers within the ceded territory before that date, and the conditions of which grants have been fully executed.

Second. Grants by the Spanish government to persons who were actual settlers within the ceded territory on the 27th October, 1795, legally and fully completed. This class is the most numerous.

Third. Claims of persons who were settlers, within the ceded territory on the 27th October, 1795, derived from actual surveys or settlements made under the statute of Georgia, approved February 7th, 1785, commonly called the Bourbon act. Few of these claimants allege to have made actual surveys. It would have been unsafe to have done this, the Spaniards being in possession of the country; but they rely upon the settlements they made under tacit permit from the Spanish authorities, and the encouragement of the State of Georgia in the Bourbon act.

Packets A, B and C, herewith enclosed, contain duplicates of the claims filed under these three heads.

Among the titles recognized in the agreement between the United States and Georgia, there will be a few which conflict, viz: Lands claimed by different persons under British and Spanish titles, who were each settlers in the district on the 27th October, 1795. This will be found to have been brought about by one of two causes. The British grantee did either not reside in the district, or being resident, had not complied with the conditions of his patent, when the same land, or part of it, was granted to another party by the Spanish authorities.

Under the British government, grants were sometimes made directly by the King, but more frequently by his representative, the Governor of West Florida. The former title was conferred for some signal service rendered by the grantee, chiefly in the army and navy. The latter, which were, of course, more numerous, were obtained by the following process: The applicant presented a petition to the Governor and Council, upon which, if satisfactory, an order issued to the Surveyor-General, called the warrant of survey. When the survey was completed and filed in the office of the Secretary of the Province, the patent issued. It frequently happened that, by delay in the Surveyor's office, or the pressure of business, persons who had obtained orders of survey and paid, in advance, the fees for the work, had not perfected their title when the Spaniards conquered the province. They rest on the strong equities of their case.

Under the Spanish government the party proceeded likewise by petition to the Governor-General of Louisiana, sometimes to the resident Governor at Natchez, and if acceded to, an order is issued to the Surveyor-General to survey and put the petitioner in possession of the land, and then there issued a patent, with a plat and certificate of survey annexed. In this case, likewise, there are numerous claimants who claim only by the warrants for survey, and who took possession of and improved the land, but have obtained no patent.

I now proceed to claims *not* recognized in the agreement with Georgia, but concerning which you desire information.

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First. Claims grounded on the alleged grants made by Georgia, subsequent to the Bourbon act.

I have not learned that any tract of land is now occupied by any of those purchasers, or by persons claiming under them. A copy of a letter or circular in regard to the Georgia sale, dated Boston, October 1st, 1799, issued by persons styling themselves, "agents for the proprietors of Georgia lands," addressed to sundry respectable citizens of this Territory, is herewith transmitted.

Second. Claims, if any, derived under the French government, previous to the peace of 1763.

No title accruing from this source has been filed, and, so far as I can learn, no claim on the part of the ancient French concessionists or occupants, or of and in behalf of their heirs or representatives, ever appeared, or was presented to either the British or Spanish governments in this district. The frequent wars between the French and the Natchez, culminating in the great massacre of the former in 1729, induced them, even after they had driven the savages from the country, to abandon their possessions in this quarter entirely."*

Third. Claims derived from the British and Spanish governments previous to the treaty of 1795, unaccompanied by actual settlement, within the ceded district, at the date of the treaty.

No claims of this description have been filed under my invitation, nor is it probable that there are many such of Spanish origin. But it is matter of notoriety that British claims of this character are numerous. By far the greater part of the valuable plantations and improvements in this Territory have been made upon lands granted by the British authorities of West Florida, and subsequently regranted by the Spanish authorities to other parties.

It may be proper here to state that the time allowed by the treaty between Great Britain and Spain (1783,) for British subjects, in West Florida, to sell, convey or improve their lands, was by an act of comity on the part of Spain, prolonged, and two or three years beyond the time specified in the treaty, elapsed before the Spanish government commenced granting lands heretofore granted to British subjects.

Fourth. Claims derived from the Spanish government by grants made subsequent to the treaty of 1705 between the United States and Spain.

These may be divided into three classes:

1. Where patents were issued subsequent to the treaty on Spanish warrants of survey made previous to said treaty.
2. Where the warrants and the patents were subsequent to the treaty.
3. Where both warrants and patents were indeed subsequent to the treaty, but both ante-dated so as to make them appear prior to the treaty.

It is understood that many patents of the first class were issued, though few have been filed. Warrants of survey, in many instances, had been obtained, followed by actual survey and settlement, which it was the Spanish custom to recognize as a good title, even before the patent issued. Claimants of this class were often indifferent about the patent, and exercised over the land complete ownership and the right to sell the same, considering it a mere matter of form to get the final patent. Hence, at the date of the treaty, many were found with incomplete titles. Some of these deemed it advisable to obtain patents from the Spanish office, which continued open after the treaty. But others

*The French, under concessions granted by the King, had, at the time of the massacre, several extensive and well improved plantations around Natchez, particularly on St. Catherine's, extending from the present Washington road, down said creek, on both sides, to the Woodville road. There was a plantation, near the mouth of Cole's Creek; one or two on Bayou Pierre, and at Walnut Hills, and quite a settlement around Fort St. Peter, on the Yazoo. Nearly all the occupants perished at the time of the massacre. The few that escaped, made their way to New Orleans. And it is remarkable that their claims, which were unquestionably valid, and would, doubtless, have been recognized by either the British or Spanish government, were never presented.

In 1745, during the administration of Vaudreuil, it would appear that there were eight soldiers and two families of negroes at Natchez. The Choctaws, finding that there were neither Indians or whites in the country, used it as a hunting ground, and camped in considerable numbers, but never built any towns or villages in the district.

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conceiving that such action was invalid, trusted entirely to the agents of their claims and the justice of the United States.

Of the second class five claims only have been filed, but many others still exist. Some parties in favor with the Spanish officers, trusting to the continuance, for a time, of the Spanish tribunal *sanctioned by Commissioner Ellicott and Lieutenant Pope*, the only representatives of the United States then in the district, received titles for land which were dated at the time the title passed. The number of this class of claims is uncertain, but not believed to be many.

The third or ante-dated grants. No claims of this class have, to my knowledge, been filed, yet no doubt is entertained that they exist. They are believed to be numerous and to cover large and valuable tracts of land, and are held by men of means.

Fifth. As to claims founded on the third section of the Bourbon county act. Many citizens who, subsequent to 1795, have settled and improved unoccupied land, suppose that under this third section they will be entitled to a preference right when a land office shall be opened. The Bourbon act was repealed by Georgia in 1788, but from the little intercourse between that State and this remote district it is probable its repeal was not known here, or but partially known, or known only by rumor, and many citizens doubtless continued to make their improvements, *bona fide*, under the invitation of the Bourbon act.

With respect to the aggregate of lands claimed under the agreement with Georgia, and of the aggregate of other claims, I have not data for reliable estimates. But from the information before me I should say about 400,000 acres in the Mississippi region, are covered by claims under the second article of the agreement between the United States and Georgia.

As to the extent of the private claims in the Mobile region I can hazard no opinion until the returns from Washington county are received. It is understood, however, that besides the pine barrens, there remains unclaimed, much valuable alluvial land at the disposal of the United States.

That you may be more fully informed as to the true state of land claims in this Territory, I forward all the returns that have been made, filed under their several classifications. Among them will be observed some claims which cannot, strictly considered, be comprehended under any of the species enumerated by you. For example, the titles by Spanish warrants of survey and actual possession, but no patents, may be so viewed. But this species of title is esteemed here as invulnerable, in an equitable point of view. They were considered perfectly good by Spanish officers and jurisconsults; and by the Spanish custom the holder was authorized to sell, and make title to the same after three years of occupancy.

It will not escape your notice that a great proportion of the present population in this Territory is composed of citizens who have made improvements on vacant lands. The heads of families of this description in the counties of Wilkinson, Adams, Jefferson and Claiborne, exceed seven hundred, and with their families may be estimated at over two thousand.

I do sincerely hope that these citizens may be secured in their improvements and that Government will offer the vacant lands in this Territory upon moderate terms, and in small tracts, to actual settlers. If this policy be not observed much distress will ensue, and the effect will be to drive them, in disgust, to the Spanish province below, where strong inducements are held out to attract them. Lands are there conferred on the petitioner without price, if he be a poor man. Should these patriotic men be driven, by a harsh policy, from their humble homes, their improvements will fall into the hands of rich speculators, either of this Territory, or from abroad. Thus we shall not only lose our most prompt and available fighting population, but the settlement of this Territory will be retarded by the monopoly of the best and most valuable lands in a few holders. This most remote and infant settlement of the United States now isolated and comparatively defenceless, would be rendered utterly helpless. You would banish a people to be relied on in emergencies, and foster a few wealthy speculators, who would probably introduce a large number of negroes, a class already formidable for our present population."

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GOVERNOR CLAIBORNE TO MR. MADISON.

NATCHEZ, January 20, 1803.

"I have the honor to enclose returns of claims filed in Washington county, Mobile district.

Most of the titles exhibited there are incomplete. It is not believed that any of the citizens claiming under Spanish titles have obtained patents previous to October, 1795, but remained in possession of their lands by virtue of an order of survey from the Governor-General. With regard to this species of title I was explicit in my report to you of the 5th November, last. I now further add that, *it was not until after the conquest of West Florida by the Spaniards that they introduced the custom of issuing patents.* Previous to that time a warrant of survey, and possession, was the only mode of conveyance. And subsequent to the conquest this kind of title, after three years of occupancy, was considered equivalent to a patent.

There are in Washington county one hundred and eight heads of families, who have settled upon and improved vacant lands since 1795.

I flatter myself that to all such a right of pre-emption will be allowed, at a reduced rate, as some compensation for the dangers they have faced, and military services they are willing to render. They are our videttes on that remote and exposed frontier. This just and generous policy will be the only means of preventing a considerable emigration to the Spanish territories."

THE OLD CHOCTAW LINE.

1802. General Wilkinson was engaged in running the line. November 24th he wrote to the Governor:

"The mouth of the Yazoo, which is called for as the beginning of the old boundary, has, by a breach of the Mississippi made through its banks, and the consequent desertion of its ancient bed, been shifted about six miles. This involves some difficulties with the Indian Commissioners; and to this one more serious is added. The British surveyor left his east line entirely open, and, it would seem, five or six miles at the beginning of his south line. The Choctaw commissioners expect to see the old line, and nothing less will satisfy them. It consequently becomes necessary for me to repair to the Big Black river, in order to exhibit to them the marked trees, and from thence to retrace the line back as far as it can be discovered; after which I shall propose, on the ground of mutual accommodation, to continue the line to the first bluff on the Yazoo, above the inundations of the Mississippi, and there to fix our beginning."

David Ker received his commission as one of the Judges of the Superior Court.

December 21st the Governor wrote to Mr. Madison: "Mr. Ker's appointment has given much satisfaction to a large majority of the citizens. He is a valuable acquisition to the bench."

The closing of the port of New Orleans to western produce was at this time producing much excitement. The Governor wrote to Mr. Madison:

"The port still remains shut against the American deposit. American produce is permitted to be received by vessels lying in the stream, but the landing and the storing is unconditionally prohibited. Indeed, so rigorous is the regulation on this point that, in a recent instance, when a boat loaded with cotton was capsized, it was with difficulty a permit was obtained to place the cotton temporarily on the levee to dry. Notwithstanding the assurance of the Governor-general, in his letter to me, that the Intendant, Morales, was independent of his authority, and had adopted this measure on his own motion, and without instructions from the Ministers, I am firmly persuaded to the contrary. Morales is a man of intelligence and fortune, and he would scarcely venture to adopt a restriction of this nature without authority."

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GOVERNOR CLAIBORNE PROPOSES TO SEIZE NEW ORLEANS.

NATCHEZ, January 3, 1803.

To James Madison, Secretary of State:

SIR—The excitement in this Territory is very great. It is the general sentiment that the treaty has been grossly violated; the comity of nations disregarded; our people materially injured, and the United States insulted.

I have in this part of the Territory about 2,000 militia, well officered, and organized, with as much *esprit de corps* and national pride as any men in the Union. I have in Washington county, on the Tombigbee, another regiment of excellent material, who are burning to resent the obstacles interposed by the Spanish commandant at Mobile to the free navigation of the Mobile river. With these forces, yes, sir, with 800 of my men we can take possession of New Orleans, and expel or disarm the Spanish garrison.

I am well advised, too, that there are in that city, and all along the coast, numerous settlers, devoted to the United States, who would immediately join us in the event of hostilities."

Bonaparte, First Consul of the French Republic, felt very sensibly the maratime superiority of Great Britain, and he knew that a nation without colonies never could become a great naval power. The French, and particularly the commercial men, had never ceased to regret the cession of Louisiana, and soon after the victory of Marengo, when his influence was almost supreme, the First Consul made secret overtures for the retrocession of the colony. He easily persuaded Godoy, the Spanish Minister, who was master of the King and paramour of the queen, that Louisiana, in the hands of France, would be a guarantee of security for Mexico and the Spanish possessions in the Gulf.

1800. By the treaty of St. Ildephonso Spain receded the province on certain conditions, and renewed the understanding by another compact, at Madrid, in 1801. These agreements were kept secret, and no attempt was made by the French to take possession of the province, owing to the war with Great Britain and her superiority on the ocean. "It cannot be doubted," says Marbois, one of the French ministers, "that Louisiana might have been attacked by the English and easily conquered, had they been informed that it had again become a French colony." A hollow peace with Great Britain was concluded at Amiens in 1802, and soon after the disturbances in St. Domingo broke out which terminated after a vast expenditure of money, in the loss of a formidable French army, and the independence of the blacks. This great disaster not only lessened the value of Louisiana to France, but it repressed in Louisiana the general enthusiasm to be restored to her dominion. Frenchmen may still have desired the union, but the natives of the province, who were planters and slaveholders, and the religious orders, shrunk from her doctrine of universal equality and her contempt of the old worship. Still the First Consul determined to make it a military colony, and to send there five thousand troops under Bernadotte, one of the ablest of his marshals.

He accepted the command and put his effects on a frigate, but learning that war was about to be resumed between France and Great Britain, he refused to sail. General Victor was then appointed, Lausat, prefect, and Ayme chief judge. But war breaking out Victor was detained, and never embarked. Lausat sailed for New Orleans January 12th, 1803.

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These arrangements had been kept as secret as practicable from the date of the treaty of St. Ildephonso. But, as we have seen, the rumor of a French occupation had long prevailed in Mississippi and Tennessee.

The national government had no distinct information on the subject until close of 1802. About the same time that Mr. Livingston, the American minister at Paris, communicated the matter to President Jefferson, he received likewise the following advices:

FROM W. E. HULINGS, UNITED STATES CONSUL, TO GOVERNOR CLAIBORNE.

NEW ORLEANS, December 24, 1802.

SIR—I send you a translation of the secret Royal Order for the delivery of this province to the French. I procured the copy from a friend, and have literally translated it. It has not yet been made public by the authorities. I need not caution you to use it with discretion, and not compromise me, as I am closely watched on all sides."

THE ROYAL ORDER.

I have received the following information from Don Pedro Cevallas, Minister of War, under date of the 15th inst.:

"The King having ceded to the French Republic the province of Louisiana, in its actual extent, and as it was possessed by the French when they ceded it to His Catholic Majesty, I communicate to you the royal order that arrangements may be made for the delivery of said province to the French commisary, that for such purpose shall present himself, with due authority for said republic; which royal resolution I have transmitted to the Captain-General of Louisiana, advertising him that it was also the will of the King, in what respects the Royal Regiment and other veteran troops that garrison the province, that those who desire to remain under the dominion of His Majesty, (after the delivery of the province) may pass to the Havana, where they will receive their destination."

I recommend to you this Royal Order that you may do what concerns you towards the accomplishment of this sovereign determination.

God preserve you many years. SOLERE.

MADRID, 30th July 1802.

To the Intendent of the Province of Louisiana.

Just about the time that Governor Claiborne was asking permission to make a *coup de main* on New Orleans with his Mississippians, Mr. Livingston, the minister of the United States at Paris, was urging upon our government the same policy. He even insinuated, in his correspondence with the French authorities, that such a policy would be adopted. For the first time since our existence as an independent nation, a union with Great Britain against France was contemplated. President Jefferson wrote to Mr. Livingston, as follows:

"The day that France takes possession of New Orleans fixes the sentence which is to restrain her forever within low water mark. It seals the union of two nations who, in conjunction, can maintain exclusive possession of the ocean. From that moment we must marry ourselves to the British fleet and nation. We must turn all our attention to a maritime force, and having formed and connected together a power which may render reinforcement of her settlements here impossible to France, make the first cannon that shall be fired in Europe the signal for tearing up any settlement she may have made, and for holding the two continents of America in sequestration for the common purposes of the united British and American nations."

He wrote to Governor Claiborne in the same strain.

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1803. On the 13th January, Mr. Jefferson wrote to Mr. Monroe, at Paris:

"The agitation of the public mind on occasion of the late suspension of our right of deposite, is extreme. Remonstrances, memorials, etc., are circulating through the whole of the Western country."

MEMORIAL OF THE LEGISLATIVE COUNCIL AND HOUSE OF REPRESENTATIVES OF THE MISSISSIPPI TERRITORY, TO THE PRESIDENT AND CONGRESS, JANUARY 5TH, 1803.

Your memorialists beg leave to express their sentiments relative to an event by which the interests of the West, and of this Territory in particular, are materially affected. While the treaty of San Lorenzo secured the free navigation of the Mississippi, and a convenient place of deposite for the merchandise of American traders, it politically incorporated the country as a part of the United States. Under this auspicious change we saw our trade flourishing, property rising rapidly in value, and we felicitated ourselves in being the citizens of an independent Republic. Reposing in national faith for a continued observance of stipulated privileges, we indulged the belief that they could not be violated with impunity. The motives of the Spanish government in thus withholding from us a place of deposite are a subject of conjecture; but no doubt can exist as to the act itself being a flagrant infraction of the treaty. A recent order by the government of Louisiana, prohibiting all intercourse between the citizens of the United States and the subjects of Spain, has considerably increased the embarrassment of our trade, and indicates a still more hostile spirit towards our country. Your memorialists, reposing entire faith in the wisdom, justice and energy of the general government, rest assured that no succor will be withheld from us. And we tender to our country our lives and fortunes in support of such measures as Congress may adopt to vindicate the honor and interests of the United States.

WM. GORDON FORMAN,
Speaker House of Representatives.
JOHN ELLIS,
President of Council.

The result of this great agitation may be briefly stated. The British ministers and the First Consul were mutually threatening hostilities, and making extensive preparations. Parliament voted to have 10,000 additional sailors and marines, and the First Consul announced that he would put 500,000 soldiers in the field.

"All the world knows," said M. Talleyrand to the British plenipotentiary, "that we were preparing an expedition to sail for Louisiana. The embarkation of our troops and the departure of our fleet have been countermanded, in consequence of the action of your government." The French well knew that their army and fleet, before they could reach the Mississippi, would be captured and carried into British ports. And thus, in the design of Providence, which shapes the course of empires and of individuals, the hostilities of these great powers accomplished for us the acquisition of Louisiana. Mr. Livingston had, previous to this state of things, persistently urged upon the Consular government the sale of Louisiana to the United States. But his arguments had no effect, until the naval preparations of the British gave warning, and then Tallyerand, after a long silence, renewed the correspondence. The First Consul promptly decided not only that he would accede to the American overture for the purchase of New Orleans and the east bank of the Mississippi, but that he would sell the whole of Louisiana. Fortunately, he confided the negotiation to one of his cabinet, M. Barbie Marbois, a trained diplomatist, frank, able and liberal, who had been Secretary of legation and charge

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d'affairs in the United States for several years, and who saw, from the first, that it was to the interest of his country to transfer Louisiana to the United States. He commenced the negotiation on the same day that he was invested with the authority to negotiate, and in a few days the business was accomplished.

When President Jefferson was officially informed of the arrival at New Orleans of M. Lausat, authorized by the First Consul to deliver Louisiana, he appointed Governor Claiborne and General James Wilkinson to represent the United States.

GOVERNOR CLAIBORNE'S ADMINISTRATION, MISSISSIPPI TERRITORY.

Arrived at Natchez, November 23d, 1801. Legislature assembled December 1st. Henry Hunter, Speaker of the House of Representatives. John Ellis, President of the Council. Writes to the Secretary of State, on the 12th:

"From the little knowledge I have acquired of this assembly, I hazard the opinion that it is composed of honest men much attached to the United States, and devoted to the interests of the Territory. All opposition to the second grade of government has apparently ceased, and the citizens seem contented with the prospect before them.

As I am charged with the superintending of Indian Affairs, I request that my duties be strictly defined. If instructions were given to my predecessor, they are not on file in the executive office. I find that none of the communications from the Secretary of State have been considered as public property, and were not filed here with other records."

David Ker appointed Sheriff of Adams county, *vice* Lewis Evans, and Abner Green, Treasurer-General.

Seat of government removed from Natchez to the town of Washington.

Name of Pickering county changed to Jefferson, and another county taken from it and called Claiborne, and the county seat located at Gibson's port, or ferry, on the Bayou Pierre.

Wilkinson county organized out of the southern portion of Adams.*

1802. April 24th, Georgia entered into an agreement with the United States, ceding, on certain conditions, all her claims in and to the Mississippi Territory.

Land offices opened in Washington and at Fort Stoddart, Edward Turner and Joseph Chambers, registers.

Thomas Rodney, of Delaware, and Robert Williams, of North Carolina, appointed Land Commissioners for the district west of Pearl river, and Robert C. Nicholas and Ephraim Kirby for the district east of Pearl.

Isaac Briggs, Surveyor-General.

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*EXTRACT OF A LETTER FROM DR. A. R. KILPATRICK, NAVASOTA, TEXAS.

My maternal grandfather, Robert Tanner, was an early settler in Mississippi. He brought a colony of nearly one hundred, white and colored, from Beaufort district, S. C., in 1804. Came overland to Tennessee river, built boats, and floated down with his people, stock and furniture to Natchez. Dropped down to Fort Adams, and settled four miles southwest of where Woodville now stands. He soon built old Bethel (Baptist) Church, sawing the lumber by hand and making their nails in the blacksmith shop. Old uncle Bob Lackey (so well known in after years at Alexandria, La.,) and John L. Lewis, were the first to build houses in Woodville. Robert Tanner understood surveying and was employed to lay off the streets and squares.

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Jefferson College, and the Society for the Diffusion of Useful Knowledge, incorporated.

Militia thoroughly organized and regularly reviewed and drilled in every county.

At the first session of the 7th Congress, in 1801, Capt. Narsworthy Hunter presented himself as a delegate from the Mississippi Territory. His credentials were referred to the proper committee, who reported that he had been duly elected. On the resolution for his admission a division of the House was called—77 ayes; 8 nays. The nays were John Bacon and Wm. Eustis of Massachusetts, Michel Leib and John Smilie of Pennsylvania; John Randolph and S. J. Cabell of Virginia; John Milledge of Georgia, and Richard Stanford of North Carolina.

1802. March 11th, Mr. Hunter died.*

December 6th, Thomas M. Green appeared as delegate from Mississippi.

May 3d. A movement was made to repeal and undo all the legislation of Congress establishing the Mississippi Territory, which was defeated by the exertions of our delegate.

1802. Great excitement in the Territory in consequence of the suspension of the right of deposit for American products in New Orleans. Governor Claiborne made an energetic protest to Governor Salcedo, but was answered that it was the act of Intendant Morales, and that he was wholly independent of the Governor-General and responsible only to the King.

December 18th, Governor Claiborne wrote to the Secretary of State, "the port of Orleans still remains shut against the American deposit. American produce is permitted to be received by vessels lying in the middle of the stream, but the landing of produce is unconditionally forbidden."

January 3d, 1803. Governor Claiborne again writes to Mr. Madison:

"The Spanish authorities in Louisiana are manifesting a marked hostility to the United States. The people of this Territory are greatly agitated, by the suspension of the right of deposit (secured to us by the treaty) and by a recent order prohibiting intercourse between the citizens of the United States and the subjects of Spain.

There is a deep feeling of resentment in Louisiana at the prohibition, kept down, for the present, by Spanish bayonets. We have in the Mississippi Territory about 2,000 militia, well organized, and we can easily take possession of New Orleans now; but reinforced by French troops, according to prevalent rumors, it may be more difficult. It is my duty to apprize you that on the river coast, and in New Orleans itself, there many are persons who would muster under our flag the moment it is displayed."

1803. Governor Claiborne writes: "There are many vessels now lying at New Orleans, in the stream, waiting for freight, and several are now on their way to Natchez to load with cotton."

Among the last appointments of the Governor were F. Lewis, Ransom Harwell, Wm. H. Hargrove, James Callier, Wm. Pierce, Justices for Washington county.

Samuel Brooks, mayor, and John Girault, Samuel Niel and Joseph

*Thomas B. Reed and Robert H. Adams, Stephen H. Adams and Gen. Speight, Senators, and Narsworthy Hunter, Thomas M. Green, Christopher Rankin, and David Dickson, delegates and representatives from Mississippi, all died during their term of office.

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Newman, aldermen, and P. A. Vandorn, marshal, of the city of Natchez: Wm. Nicholls, Sheriff of Adams county, vice Wm. Brooks resigned.

March 12th the Governor writes: "The two Houses to-day elected Dr. Wm. Lattimore of Natchez, delegate for the Territory. He is a young man of promising talents and a firm and genuine republican.

1803, December 2d. Leaving the Territory in charge of its efficient Secretary, Col. Cato West, Governor Claiborne set out for New Orleans, escorted as far as Fort Adams by the Natchez Artillery, the Natchez Rifles, and a company of militia. Three more companies of volunteers from Jefferson and Claiborne counties followed.

Received addresses from the several counties expressing their cordial approval of his administration and their hope for his speedy return.

1803. December 20th, Louisiana was transferred by M. Lausat, agent of the French Republic, to the United States, through Wm. C. C. Claiborne and James Wilkinson its commissioners.

By instructions from President Jefferson, Wm. C. C. Claiborne was appointed to administer the province, with the powers and authority that had been exercised by the Spanish Captain-Generals. He still retained his position as Governor of the Mississippi Territory, and discharged the functions of both offices, until the act passed for creating the Orleans Territory, when he, on the 1st October, 1804, was appointed Governor thereof; and Robert Williams of North Carolina was appointed to succeed him as Governor of the Mississippi Territory.

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CHAPTER XXIII.

GENERAL James Wilkinson, whose name has so often been introduced, and who, for many years, was the central figure in the Southwest, had a long and very remarkable careeer. He was born in Calvert county, Maryland, of a family of cavaliers, whose social code may be illustrated by the last words of his father, when dying: "My son, farewell. If ever you put up with an insult, I will rise from my grave to disinherit you." In his 17th year, Wilkinson was sent to Philadelphia to study medicine, but hearing of the affair at Lexington, he repaired to Boston and fought as a volunteer at Bunker's Hill. The first thing that struck the young Southerner, on entering camp, was the familiarity that prevailed between the officers and men, of all ranks, from the colonel to the private. There seemed to be an absolute equality, and he could not refrain from remarking that the distinction of rank between officers and privates was not equal to the class distinctions in his native place.

In March, 1776, Gen. Washington having observed his superior intelligence, and knowing his family, gave him a company in a regiment commanded by Col. Read. He served under Generals Arnold and Sullivan in the Canada campaign, during which he was made Brigade Major. He was soon after transferred to the staff of Gen. St. Clair, and subsequently received from Gen. Washington the commission of Lieutenant-Colonel. Gen. Schuyler, who had been for some time in command of the Northern Department, finding his popularity and influence declining, requested Gen. Washington to designate a successor. This he excused himself from doing, and then, by special resolution of Congress, Gen. Gates was invited to assume the command. He prevailed on Wilkinson to become a member of his family. He resigned his commission in the line to accept the position, and in every action of that eventful campaign was conspicuous for efficient service. He conducted the negotiations between Gates and Burgoyne for the capitulation of the British army.* And was subsequently dispatched by Gen. Gates with a letter to the President of Congress, announcing the triumph of the American arms.† He

* Properly speaking, it was neither a capitulation or a surrender. Gen. Burgoyne peremptorily rejected both those terms; and the word "convention" was substituted and so stands on the record.

† The relations between Washington and Gates were not cordial, though at that date no open rupture had occurred. Gates made no communication to the Commander-in-Chief of the great event at Saratoga.

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eulogized the young officer for his talents, activity and courage, which Congress endorsed by conferring on him the brevet of Brigadier General. He was not yet twenty-one years of age. His subsequent career is well known. After the Revolution, he took part in the Indian campaigns; on the death of Wayne, became Commander-in-Chief of the Armies of the United States; and was in command on the northern frontier in the war of 1812–14. He encountered, in this long career, many vicissitudes of fortune, made many powerful enemies, including President Madison, John Randolph, Gen. Winfield Scott and others, but in every instance, no matter how great the odds, or how powerful the public sentiment they directed against him, he stood with his back to a rock and defied them all. He fought them as fearlessly as he had fought the British and Hessians, and in the last years of his life, when age, infirmity and poverty were pressing upon him, he revenged himself by publishing his memoirs—a voluminous work, now only found in rare collections, which contains more of secret history, and gives a better inside view of his prominent contemporaries, than any other book in our libraries. No one can properly understand Washington and Gates, and Mifflin and Conway, Arnold, Hamilton and Burr, the movements and mistakes that led to the surrender of Burgoyne, and Washington's defeat at Germantown, or the blunders and errors of the Canada campaign in 1813, without a careful study of these memoirs.

General Wilkinson, as we have shown, was involved in many controversies, the most unpleasant of which grew out of his relations with the Spanish authorities of New Orleans, and with Aaron Burr.

In 1787, having retired from the army, he settled in Kentucky, and, in connection with several respectable citizens, obtained a permit from the Spanish governor to carry tobacco to New Orleans. This business, with different partners, was carried on until 1789, when, finding it unprofitable, he abandoned it and re-entered the army of the United States. In 1797, he became Commander-in-Chief. In 1803, he was associated with Governor Claiborne as commissioner to receive Louisiana, and was subsequently appointed military governor of Upper Louisiana, with headquarters at St. Louis.

While holding these responsible positions, he was accused by Daniel Clarke and Andrew Ellicott, in secret communications to the government, of being a pensioner of Spain and in treasonable relations with the Spanish authority in New Orleans. President Adams refused to entertain the charges. When Mr. Jefferson came in, the same charges were repeated, and he answered them by conferring new honors on Wilkinson, and confiding to him the military defence of the vast territories recently acquired. Clarke, jaundiced with jealousy, having expected to be commissioner and governor, and maddened by the contempt with which his charges had been treated by the government, in 1809 published and laid before Congress what he called "Proofs of the corruption of Wilkinson," to establish:

1st. That General Wilkinson, from 1794 to 1803, was a pensioner of Spain.

2d. That he was a party to the treasonable attempts of Spain to detach the Western States.

3d. That he was privy to and favored the treasonable schemes of Aaron Burr, and only betrayed him when he foresaw that those schemes would fail.

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His statement of these charges—prepared by counsel in Philadelphia—was a plausible array of *ex-parte* testimony—venomous in every line with prejudice and personal malignity.

Daniel Clarke, an Irishman, came to Louisiana, on the invitation of his uncle, Daniel Clarke, who had followed the British into West Florida, and on its surrender to Galvez, had become a Spanish subject, and engaged in merchandizing and in planting. On the death of this gentleman, Daniel Clarke, junior, inherited his large property. Both the Clarkes professed to be the devoted friends and admirers of General Wilkinson.

Mr. Clarke soon associated himself with Daniel W. Coxe, of Philadelphia, a man of capital, and they embarked largely in land speculation in Louisiana, purchasing lots and lands at low prices, hunting up defective titles, intimidating ignorant holders, thus getting possession of a vast real estate.* Clarke was a man of talent and energy; his wealth gave him much influence, and in 1806 the Territorial Legislature elected him delegate to Congress. He repaired to the seat of government with the prestige of a Crœsus, and adopted a style corresponding with his reputation. His equipage was princely; his expenditure profuse; his charities ostentatious; his gallantries notorious. About this time General Wilkinson, Captain Murray and Dr. John F. Carmichael, a distinguished surgeon of the army, chanced to be in Annapolis on a visit, and at a dinner party were questioned as to Clarke's fortune, and gave it as their opinion that it was more fictitious than real, and that his debts probably equalled his possessions. It so happened that Clarke was then addressing a lady of fortune and very distinguished connections in the neighborhood, and soon after this conversation his attentions were discouraged. Wilkinson and his friends had never heard of the affair, and had frankly answered what, they supposed, was a mere passing inquiry about a shining light in the firmament of fashion. The conversation was reported to Clarke, and from that moment he devoted himself to the destruction of Wilkinson. He gave up society and his equipage, became morose and crabbed, and expended his money only to grasp more land and to procure and suborn witnesses and informers, to avenge himself on Wilkinson.

Supported by the celebrated cynic, John Randolph, (who hated Wilkinson because Jefferson esteemed him,) he published and laid before Congress, the charges already recited, with affidavits of Andrew Ellicott, Thomas Powers, Daniel W. Coxe, and others.

General Wilkinson was a man of fiery temper—a martinet in military usage and etiquette—and resenting some remarks of Mr. Randolph, he immediately challenged him. The Congressman evaded the call by an untenable subterfuge, and the General posted him as a coward. He then demanded a court of inquiry. It was composed of officers of the highest position, morally and professionally. The investigation took a wide range and was thoroughly exhaustive, and the result was a unanimous report that none of the charges had been sustained—a finding cordially approved by the President. In his celebrated defence before that court—a document exhibiting remark-

*This is the foundation of the famous Gaines suits that have occasioned so much distress in New Orleans and elsewhere. Mrs. Gaines was the daughter of Daniel Clarke.

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able talent, research and analysis—the general not only established his own rectitude, but effectually attacks his assailants. He shows that Clarke was a man of no fixed principle, wholly regardless of social moralities; that he had been a British and Spanish subject, a French and American citizen, in the service of each, and ready, at all times, to desert one for the other, and to betray, for his own personal advantage, the secrets he had learned while thus confidentially employed. He proved, by letters in the accuser's hand-writing, that long after the time when he was charged with being a pensioner and a conspirator, Clarke had professed for him the most devoted attachment. And numerous respectable persons, but especially George Mather and Colonel Wm. Wikoff, two of the most distinguished of the old inhabitants of Louisiana, swore that they had known Clarke for years, and that he was malignant and revengeful, and neither honest nor truthful. Coxe, who seems to have been a grasping speculator, and by no means overscrupulous, fared badly in the hands of the trenchant general, who represents him as embarking in the conspiracy with Clarke chiefly from mercenary motives. He was a man of some talent; indefatigable in his enterprises, and he set about collecting proofs against the accused with the same industry he displayed in propping up surreptitious and fraudulent land titles. Clarke, engaged in low amours in Philadelphia, devolved on Coxe the labor of collecting testimony, and he soon ferreted out Andrew Ellicott, then in his den at Lancaster, "chewing the cud" of disappointed ambition.

Ellicott swore that when he was setting out for Natchez, employed to survey and determine the boundary between the United States and the Spanish territory, President Washington confidentially informed him that reports had reached him impeaching the fidelity of General James Wilkinson, commanding in the West, and commissioned him to watch the General closely and report all his movements. And he swears that he consented to be a spy, and in due time became satisfied of the General's treachery, and so reported him, in his confidential dispatches to Col. Pickering, Secretary of State, under President Adams, and more recently to President Jefferson, but that no attention was paid to his communications.

Before the Court of Inquiry, General Wilkinson very properly argued that the statement that General Washington would entrust the command of the army, on the most important and remote frontier, where hostilities were every day looked for, to a man whose fidelity was doubtful, was wholy irreconcilable with the character, the wisdom and the honor of that illustrious soldier and magistrate, and that there being no evidence and no circumstances to support the naked statement of Ellicott, it must be regarded as wholly untrue. The accused likewise produced many proofs of the confidence of General Washington. It was in evidence from the files that Ellicott had, in his correspondence with Col. Pickering, Secretary of State, reported the scandals with which General Wilkinson had been assailed, with his own suspicions, but the bluff old Secretary evidently regarded him as a swift witness and intermeddler, and made him understand that he would not be further annoyed by such correspondence, and he must confine himself to the business he was sent to do.

General Wilkinson, in his defence, convicts Ellicott of shameful duplicity. June 5th, 1797, he sends a letter, marked "secret," to

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the Secretary of State, grossly assailing the honor and fidelity of the General. On the 4th September of the same year he writes to him congratulating him on his arrival at Natchez in command of the army, with the strongest expressions of friendship, and urging him to visit his camp, being then engaged in surveying the line. General Wilkinson visited the camp, and found Ellicott, as usual, at war with every one about him; with the officer of his escort, and with the Surveyor, Thomas Freeman. His camp was in a state of confusion, and both the Spanish Governor, Gayoso. and the General, when dining with United States Commissioner Ellicott, were shocked to find a notorious woman of ill-fame his mistress of ceremonies!

The General appointed another officer for the escort, and another surveyor was procured. Mr. Freeman, whom he found a valuable and efficient surveyor, he transferred to Fort Adams and employed him in constructing the fortifications. This recognition of a man whom he had injured and tried to disgrace, offended Ellicott, and on the 5th November he dispatched another secret communication to the State Department assailing General Wilkinson as a traitor! These communications were all marked *secret*, and were locked up in the secret drawers of the Department, the officer assailed having no knowledge, as Ellicott well knew, of their existence. And yet, as though to show how far duplicity and obsequiousness can go, as late as August 27, 1800, he writes to the General, who had just been appointed to the head of the army, and warmly congratulated him on the high honor he had so deservedly attained!

When all these evidences of malice and duplicity came, at last, to the knowledge of the General, he could only account for it by saying, that "Ellicott is a habitual hypocrite, of a garrulous disposition, an irrepressible appetite for slander and an insufferable egotism, always prompting him to magnify his own consequence, and to intermeddle with others."

Clarke relied very much on the testimony of Powers, the notorious emissary of Baron Carondelet, in his negotiations with certain traitors in Kentucky. He had since become a dependent of Clarke's, and, of course, as was to be expected from his whole career, swore all that was required of him. He was a man of talents and told a very plausible story, making Wilkinson a leading figure in all his own missions of treachery and conspiracy. But unfortunately for him and his employers, the General produced indubitable testimony to establish his own integrity, and to impeach and destroy Powers' credit as a witness, not only as a witness but as a man, for it showed that he had neither patriotism nor principle, that he was ready to betray the Spaniard, whom he served, to the French, then expected, and from whom he hoped employment, and the French to the Americans! Like the other prominent parties in the plot, he had been under obligations to the General for numerous acts of kindness, and like them, too, he professed eternal gratitude. All this the General was able to establish by written proofs. And he showed by the testimony of the first gentlemen in Louisiana that, on being questioned, at various intervals of time, in private and in the unconventional freedom of social intercourse, Powers had uniformly and solemnly declared that he had never carried either money or an offer of service of any kind, from the Spanish authorities to General Wilkinson! His testimony, of

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course, fell to the ground.* To such testimony the veteran general opposed not only these indubitable proofs, but his present and habitual poverty and a whole life of honorable service in the army of his country. Letters from the venerable patriot, John Adams, were exhibited, stating that these reports had been brought to his notice before he retired from the Presidency, and were treated as slanders, and he had then, and continued to have unlimited confidence in one whom he had known and trusted in the most perilous times. Gen. Alexander Hamilton wrote in the same strain, and it may be said that as no man was ever more cruelly traduced by the mean and profligate, so none was ever more warmly sustained by the most illustrious men of his times. This veteran soldier died at an advanced age, in New Orleans.

WM. CHARLES COLE CLAIBORNE was the second son of Col. Wm. Claiborne and Mary Leigh, of a family long settled in Virginia, descended from that William Claiborne who is styled in history "the evil genius of Maryland," but is now better known as the earliest champion of State Rights, fighting as he did in the service of and for the benefit of the renowned commonwealth, to which he owed obedience.† In his sixteenth year young Claiborne went to Philadelphia, where Congress then sat, and was employed as enrolling and reading clerk in the office of John Beckly, Esq., of Virginia, then Clerk of the House of Representatives. This position he held several years, during which he studied law under the instruction of Mr. Dallas. In 1795, in his twentieth year, he immigrated to Tennessee, and opened his office in Sullivan county. The first we hear of him is in the list of trustees, appointed by the Territorial Legislature, for Washington College. In 1796 he appeared as a delegate from Sullivan to the convention to frame a constitution for the new State of Tennessee, and was placed on the committee, to draft the constitution and bill of rights. In that bill of rights, this memorable clause, written by Gov. Wm. Blount, President of the Convention, was inserted: "That an equal participation in the free navigation of the Mississippi river is one of the inherent rights of the citizens of this State, and cannot be surrendered to any prince, potentate, power, person or persons whatsoever."‡

Mr. Jefferson pronounced this constitution "the best and most republican that had been made by any of the States."

The first Legislature of the new State elected Mr. Claiborne one of the three judges of the Superior Court of Law and Equity.

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*Powers, the witness chiefly relied on by Clarke to convict the General, soon after quarreled with Clarke and publicly declared that he was a bad, unprincipled and treacherous man.

†He had possession of the capital of Maryland on two different occasions, driving out the governor and his army. It is remakable that both under Cromwell and under Charles II, after the Restoration, Col. Wm. Claiborne retained his influence and position.

‡As originally written the clause stopped at the word "surrendered." But Gen. Sevier cried out to the gentleman who was reading the draft to the Convention: "D——n me, Major Claiborne, that ain't enough, give us some of your Coke upon Littleton!" Whereupon the additional phrases were added.—Sevier's MS. Journal.

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At the general election in August, 1797, he was elected to represent the State in Congress, which position he held by re-election until May 5th, 1801, when he was commissioned Governor of the Mississippi Territory. His *status* in the House of Representatives, though he was barely eligible, may be inferred from the fact that, at the first session, he was on the committee of Ways and Means with Albert Gallatin, Robert Goodloe Harper, Abraham Baldwin and James A. Bayard. December 8th, 1797, with Tillinghast, Livingston, Morris, Bayard, Burgess and Sam Smith, to digest a uniform system of bankruptcy. February 16th, with Otis, Pinckney, Milledge, Morris, Livingston, Sprague, Bayard and Parker, to digest a plan for the collection of duties on imports and tonnage. February 20, Chairman of Committee with Nicholas, Thatcher, Henderson and Goodrich, to report on our Indian relations.

During this session he presented a petition which may be noted as the first public mention of a name, which has since become historic:

"The petition of George Farragut for the balance of pay due him for services under the United States as muster master of the militia of the district of Washington, (East Tennessee) employed in actual service for the protection of the frontiers of the United States south of the Ohio, from March 1st, 1792 to October 26th, 1793."*

Gov. Claiborne arrived at Natchez, November 23d, 1801, and immediately entered on his duties as Governor of the Territory and Superintendent of Indian Affairs. That he performed these duties satisfactorily to the people, to the Legislature and to the national authorities, there is abundant evidence on record. November 10th, 1803, he had notice of his appointment as commissioner, with General Wilkinson, on the part of the United States to receive the province of Louisiana from the French prefect, and a commission as Governor-General of that province, with the powers exercised heretofore by the Spanish Governors, until another form of government for it should be provided by Congress. December 20th, on the Place des Armes, (now Jackson Square) in New Orleans, the province was delivered by the Spanish authorities to the French prefect, and by him to the American commissioners. Governor Claiborne addressed the people and issued his proclamation as "Governor of the Mississippi Territory, exercising the powers of Governor-General and Intendant of the province of Louisiana." This position, investing one man with executive, legislative and judicial powers over so vast a territory peopled by heterogeneous races, with language and laws different from ours, was originally designed by President Jefferson for LaFayette, but circumstances growing out of our relations with France and the probability of a collision, prevented the arrangement. The very great powers exercised, framing the laws, construing and executing them, organizing tribunals and appointing the officers thereof—all appointees, civil and military removable at his pleasure—may be estimated from the following letter to him from President Jefferson:

WASHINGTON, March 18th, 1804.

"It is understood that under the late government of Louisiana there was an

*George Farragut removed to Louisiana, entered the United States naval service, commanded the gun-boat Alligator in 1810-11-12-13, under Commodore Shaw, on duty in Lake Borgne. His descendents reside near Pascagoula, Miss. He was the father of the renowned Admiral.

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appeal, in judicial matters, from the Governor of the Province to the Governor-General at Havana. The writer of the enclosed probably presumed that this appeal could now be made to the President of the United States. This is an error. No authority has yet been constituted paramount to that of the Governor."

March 2d, 1805, the President approved the act creating the Territory of Orleans, and W. C. C. Claiborne was appointed Governor, relinquishing at the same time his position as Governor of the Mississippi Territory, to his successor, Robert Williams. When Louisiana became a State Mr. Claiborne was elected Governor thereof, and re-elected when his first term expired. No longer eligible under the constitution he closed his administration in December, 1816, and for the first time since his election to the convention of Tennessee in 1796, became a private citizen. On the 13th January, 1817, he was elected, without serious opposition, to the Senate of the United States, but died November 23d of the same year.

Few men have served the public so long, in such critical times, and with such plenary powers, and few have gone through such an ordeal with more success. Opposition, of course, he encountered at every step—the opposition of ambitious and able leaders, of adverse races and conflicting interests—but he never lost the confidence of the people or the national authorities, and the integrity of his conduct was never impeached. Martin, the first historian of Louisiana, censures him for Americanizing the Spanish laws and for ordering judicial proceedings to be conducted in the English language. Martin was a Frenchman by birth, and notwithstanding he owed all his success in life to American patronage, he was a Frenchman to the hour of his death. He was a great lawyer, and, it is presumed, an upright judge, but in his last will, in those solemn moments when a man should at least be honest, he stooped to a dirty trick to evade the laws of Louisiana! He was too much a Frenchman to comprehend the patriotism and philosophy that prompted the order for making our own language the language of the courts. The new Governor was so unfortunate, too, as to incur the displeasure of Laussat, the French prefect. It is amusing to hear this egotistical creature of a despotic centralism, complain of the arbitrary measures of the new government in Louisiana. In all his correspondence with his masters, he predicts insurrection and civil war—universal desire to return to the embraces of France; but has sense enough to perceive that the Americans will never let go their grip on that important key to their country. Laussat and Martin both speak of the first government of Louisiana after the cession, and even of the Territorial government as despotic, since even the legislative council for the Territory could not inaugurate measures, but only deliberate on such as were submitted by the Governor. No one will contend that the French and Spanish population of Louisiana, just emancipated from their Captain-General, were then capable of republican self-government. It had been tried in France and proved an utter failure. Our notions of liberty are wholly opposed to the extreme views of European revolutionists. They did not then, and do not now, comprehend the nature of a constitutional government of checks and balances. The whole brilliant array of encyclopedists, when monarchy perished in France, was incapable of producing a simple constitution, and their ablest writers, after personal and laborious observation, have

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never been able to define our peculiar system. With a thousand years of experience, they are less practical, and more ignorant of public liberty, and its indispensable restraints, than the old Romans. They dethrone kings and demolish aristocracies, but of popular rights and the barriers of law, civil liberty and social order, they are sublimely ignorant. If the new government of Louisiana for the Territory of Orleans was a despotism, as Martin and Laussat represent it, it was established by an American Congress full of illustrious statesmen, and approved by Thomas Jefferson, the great champion of popular rights. Besides, if a large majority of the ancient population were disaffected and favored and hoped for retrocession, as these writers contend, it would have been unwise to have confided to them the sole powers of government.

At this period, the Marquis de Casa Calva, Governor Folch, the Intendant Morales, and other Spanish agents, under the protection of the treaty, and a swarm of French Jacobins, were in New Orleans. furtively but actively fomenting discontents, and encouraging the opinion of an early reclamation on the part of France. On one of these occasions, Governor Claiborne wrote: "The power does not exist which can shake the authority of the United States over this Territory." Nor were there wanting men of our own country to encourage these discontents. "Edward Livingston and Daniel Clarke," says Gayarre, "seem to have sided with the Spanish party in their quarrels with the American governor."

Livingston, a man of splendid talents, had been United States Attorney for the district of New York, and being a defaulter to a large amount, had come to Louisiana to redeem his fortunes by his profession and by speculation. His first venture was to deprive the people of New Orleans of the *batture* or alluvial deposit in front of the city, in which he was combatted by Governor Claiborne, and very effectively by President Jefferson.

Clarke was an Irishman—a man of talent, energy and address, who, by bold speculations, amassed a large fortune, and exerted the influence that wealth and audacity carry with them. He had long been in the country—spoke the different languages with facility—had been Consul for the United States for several years—was on intimate terms with General Wilkinson and other eminent Americans—and was bitterly disappointed when the office of governor was conferred upon another. Hence the opposition of these parties. Mr. Livingston failed in his attempts to embarrass Governor Claiborne, but he subsequently paid off his official indebtedness and re-established himself in the public esteem. Mr. Clarke gradually lost his influence, and was finally crushed by General Wilkinson whom he had sought to betray and destroy!

The leading characteristics of Governor Claiborne, deduced from Mr. Gayarre's valuable record, were his disposition to conciliate and his decided and vigorous nationality. "The Mississippi will cease to flow," said he to the Legislature in 1805, before Louisiana will cease to be a part of the American Union. A disposition to encroach on the territories of others is foreign to the nature of our government; but the preservation of its own is one of its vital principles" He thoroughly organized the militia, and directed the Adjutant-General to make an equal distribution of commissions between the ancient

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and recent Louisianians, where it was practicable, but in all appointments a fair reputation and attachment to the United States were indispensable. He co-operated with General Wikinson zealously in putting New Orleans in a position of security during the Burr excitement, but persistently refused his demand for the impressment of sailors, the suspension of the writ of Habeas Corpus, the arrest of suspected persons, without proper affidavits, and the declaration of martial law. "I can refer you, with confidence, to the judiciary of the Territory," said he, but by no act of mine can I arrest or suspend their powers."* He strenuously urged on the Legislature, a public free school in every neighborhood, to be supported by a general tax. On appointing a distant kinsman—the only one he ever appointed—to an office, the Governor gave the following instructions. They cover the whole policy of his administration: "The duties of your office require reflection and attention rather than labor. The business transacted by judicial officers comes home to every man's feelings and fireside, and the petty collisions and conflicts in a community excite more interest than all the storms that agitate the outside world. The people among whom you are going to reside, differ from those with whom you have been accustomed to associate—differ as much from each other. The population is composed of creoles, Europeans and immigrants from the United States, all of them adhering to the notions and prejudices of the country they came from. Perhaps, among elements so discordant, it may be difficult to preserve harmony. But to this purpose all our efforts must tend. You must render them satisfied with each other and with yourself. Mildness in the administration of the laws; a general acquiescence in their received and usual customs and mode of thinking, are of importance. Where principle is not concerned, indulge even their follies and prejudices. As this, on the one hand, will exempt you from the charge of fastidiousness, so, on the other, it will insure respect and consideration, when you shall find it necessary to act in opposition to their wishes. In deciding upon their rights, let your conduct be marked with deliberation and firmness; expel from your bosom those passions and prepossessions, often unjust in private life, but criminal when permitted to influence our public acts. Cultivate a general acquaintance with the people. Instruct them in the principles of our constitutions and the value of our Union. Be yourself on your guard, and warn them against the base men who are seeking to poison their minds with false and malignant statements, to foment distrust and dissatisfaction with the American govenment." There was great jealousy between the Creoles and Americans, and it frequently embarrassed the Governor in making his appointments. On one of these occasions he wrote to Charles Morgan, of Point Coupee: "The circumstance of his not being born an American cannot be received by me as an objection. He was strongly recommended as a man of honor, probity and good demeanor. I certainly feel for my countrymen, the native citizens of the United States, a sincere and ardent attachment, nor is it possible for me, in any situation, or under any circumstances, to be unjust to them. But in my official character, I can acknowledge no other distinction between the inhabitants of this Territory who, by

*He co-operated with General Jackson in every measure for the defence of New Orleans, but disapproved and opposed his interference with the Judiciary.

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birth or the treaty of cession, are entitled to the rights of citizenship, than personal merit. In making appointments, I have sought for the worthy and capable, keeping in view the propriety of apportioning those as equally as practicable between the ancient and recent citizens."

In 1809, after the bloody insurrection in St. Domingo, many of the planters, with their slaves, found refuge in the island of Cuba. But when the French army invaded Spain, committing infamous atrocities, the Spanish authorities compelled these unfortunate planters to depart. With a few faithful slaves that remained to them—the last wreck of their estates—they embarked for Louisiana, longing for shelter among countrymen and kindred, and ignorant of the laws prohibiting the introduction of slaves. These, in conformity with his duty, were immediately seized by the Collector of the Port. This threw the refugees into great distress. Regarding the case as one of the few where conventionalities must defer to the great law of humanity, the Governor arranged with the Collector to deliver the slaves to the mayor, with instructions to place them in the hands of their respective owners, on their entering into bond to have them forthcoming on a requisition of the authorities. The Governor made his defence for the responsibility assumed, and a strong appeal to the national authorities for these unfortunate people, and I record it with pride that his action was sustained. Nearly six thousand people were thus added to the industrial population of Louisiana.

On the threatened invasion of Louisiana, in 1814, Governor Claiborne convened the leading free men of color. They expressed a strong desire to be mustered into military service, and the governor warmly recommended it to the Secretary of War. "They sustain, for the most part, good characters," he wrote. "Many of them have extensive connections and much property to defend."

On the 23d December, Governor Claiborne, at the head of two regiments of militia, was marching from the city to the lines of Gen. Jackson, when he was ordered to take position on the Gentilly road, one of the approaches to the city, and by far a better route for the enemy than the one they adopted, where they were exposed all the time to the terrible flank fire of the American gun-boats.

In those critical times he had many duties to perform. In defence of the rights of citizens of Louisiana and of the judiciary, he came in collision with the commanding general. In support of that great man's measures for the defence of the city, he came in collision with the legislature and was bitterly assailed. But, pursuing what he believed to be the line of duty with firmness and dignity, he found himself sustained by the public, and the same legislature elected him to the Senate of the United States.

He was thoroughly American and national; always ready to sacrifice his popularity to a sense of duty. Thus, in 1811, he writes to his friend, the Hon. Paul Hamilton, Secretary of the Navy:

"The Territorial Legislature adjourned yesterday, very much dissatisfied with me for having rejected a favorite bankrupt bill. This act of mine materially affects my popularity at present with the French and Spanish part of this community, who are stimulated by certain aspirants and intriguers of our own race. But I had no alternative. The bill they sent for my approval was a mere compilation of French and Spanish law, not reconcileable with the

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spirit of American jurisprudence, and, in my judgment, could not fail to be oppressive to the fair trader. Under these convictions, if every man, woman and child in the Territory had demanded my signature, it would have been refused."

He persistently endeavored to extend the dominion of the United States to the east and west, over every foot of territory within the ancient limits of Louisiana. While governor of Mississippi Territory, owing to the arbitrary and repressive commercial regulations of the Spaniards, he asked permission and declared his ability to capture New Orleans with the militia of the Territory.

When transferred to Louisiana, and the Spaniards had crossed the Sabine, he asked leave to drive them across the Rio Grande. And in 1810, "while the Spaniards were still permitted, wrongfully," to occupy Mobile, and to impose burdensome taxes on our citizens navigating the river, he organized the seaboard into parishes, and extended the eastern limits of the parish of Pascagoula to Dog river. And again and again he asked permission to expel the Spanish garrison.

It being currently reported and believed that the Spaniards were negotiating with the British for the occupation of Mobile, he notified the commandant that no other foreign flag, except the Spanish, which was there by sufferance only, should be hoisted in Mobile. On the 7th January, 1811, he thus addressed the Spanish Governor of Pensacola:

"Having received information that your Excellency designed to cross the Perdido with an armed force, into the Territory which I have been instructed by my government to consider as a part of the Territory of Orleans, and under my jurisdiction as Governor of the same, it is proper I should inform you that such a movement on your part will be regarded as an act of hostility to the United States, and I shall promptly take such measures as my own honor and the interests of this Territory may demand."

He was re-appointed Governor of the Orleans Territory, and when it was admitted into the Union as a State in 1812, he was elected Governor, by the people, over two most worthy and popular competitors. The vote stood: Claiborne, 3,757; Villere, 1,947; Destrehan, 268. Under the constitution of Louisiana, it then became the duty of the Legislature to choose the Governor by ballot from the two highest candidates. The vote stood: Claiborne, 33; Villere, 6. General Villere was one of the most influential gentlemen in Louisiana—of the most chivalric courage and high personal character. He afterwards twice filled and honored the chief magistracy of the State. Mr. Destrehan was a planter of large fortune and enterprise, and became a Senator of the United States.

President Madison, September 12th, 1812, wrote to Governor Claiborne, as follows:

"I sincerely congratulate you on the high proof you have received of the confidence and attachment of the people of Louisiana. The event is important in several political views, as well as highly gratifying to your personal friends. It has given me unfeigned satisfaction."

Governor Claiborne was re-elected by the voters of Louisiana, and, on the expiration of his second term, being no longer eligible under the constitution, he was elected to the Senate of the United States, but died before he had taken his seat, thus closing an official career which commenced in the Tennessee Convention in 1796.

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I close this sketch with a letter marked "confidential," written to General Cowles Mead, of Mississippi, in the midst of the Burr excitement, when General Wilkinson was exercising very arbitrary powers in New Orleans, and had arrested and deported Swartwout and Bollman as accomplices of Burr:

NEW ORLEANS, January 2d, 1807.

The scenes that are passing here are novel and important. I may have erred in my line of conduct, but I am sure my motives have been pure. I have not coincided in, or approved all the proceedings of General Wilkinson, particularly the arrest of Bollman and others, which I considered in violation of law.

And the refusal to surrender to the civil authorities was without justification, and the General was well apprized of my sentiments. Some may think that it was my duty, without being called on by the judiciary, to interpose my authority. If I have erred in not doing so, I have adhered to a principle long acted on. In judicial matters, considering the tribunals of justice as the interpreters of the law, I have felt that the executive power should never interpose until called on to do so by the tribunals. When I was Governor-General of the province of Louisiana, exercising almost supreme power, and with no appeal from my decisions, although often solicited to interpose in the execution of some process in the hands of an officer, I invariably abstained until the court or the magistrate notified me that their authority was resisted. As Governor of the Orleans Territory, I have adhered to the same course. The Sheriff once informed me that a certain sugar planter, surrounded and backed by his slaves, resisted the execution of process issuing from the Superior Court. He was informed that on a requisition from one of the Judges of that Court, my aid would be rendered. The requisition was made and I sent an armed party with the Sheriff to make the arrest. Within my own view and not fifty steps from the Government House, some notorious sailors resisted the execution of a warrant issued by a magistrate for their arrest. A sergeant and ten men were then on duty on the premises. I was applied to by the constable for this force, but it was refused until application was made directly by the magistrate.

Rely upon it, my friend, that the danger that menaces us, and our institutions, in the future, is from executive interference, and its tendency to usurp and accumulate power."

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CHAPTER XXIV.

ROBERT WILLIAMS, of North Carolina, and Cowles Mead, of Georgia, were appointed, respectively, Governor and Secretary of the Mississippi Territory. Mr. Williams had been a prominent representative in Congress, and had been latterly acting as one of the commissioners to adjudicate our conflicting land claims. It was not a position to add to one's popularity, and Mr. Williams was not a man of conciliatory address. He was rather repulsive and peremptory, to please the courtly and refined people among whom he resided. The republicans in the Territory had strongly recommended Col. Cato West, Secretary of the Territory, and its most efficient party leader. But Mr. Williams belonged to a very influential family of Jeffersonian republicans in North Carolina, a State that required some nursing at that juncture, and it was deemed expedient to confer on him the appointment. He arrived at the town of Washington, January 26th, 1805, and was welcomed by a public dinner presided over by the venerable Judge Rodney and Thomas H. Williams.*

The town of Washington, six miles east of Natchez, in a rich, elevated and picturesque country, was then the seat of Government. The land office, the Surveyor-General's office, the office of the Commissioners of Claims, the Courts of the United States, were all there. In the immediate vicinity was Fort Dearborn and a permanent cantonment of the United States troops. The high officials of the Territory made it their residence, and many gentlemen of fortune, attracted by its advantages, went there to reside. There were three large hotels, and the academical department of Jefferson College, inaugurated by

*Judge Rodney, of Delaware, had been an officer of the revolutionary war, and was sent out to Mississippi with the commission of judge. He was the father of Cæsar A. Rodney, a distinguished republican member of Congress.

Thomas Hill Williams was a North Carolinian who came here in 1802 and had a very successful career. He became Secretary of the Board of Land Commissioners, Acting Secretary of the Territory, Private Secretary of Gov. Claiborne, in Louisiana, Register of the Land Office, at Washington, in 1810, Collector of the port of New Orleans, and subsequently Senator in Congress, from the State of Mississippi. His clerk, Parke Walton, succeeded him as Register of the Land Office. Mr. Williams was a man of excellent sense, and excellent character, but by no means brilliant; a striking illustration of the success of mediocrity, in politics. He and Governor Holmes and Governor Leake, and Judge Ellis and Judge Black, were all successful politicians, but intellectually very inferior to many who vainly competed for the honors they obtained.

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Governor Claiborne, was in successful operation.* The society was highly cultured and refined. The conflicting land titles had drawn a crowd of lawyers, generally young men of fine attainments and brilliant talents. The medical profession was equally well represented, at the head of which was Dr. Daniel Rawlings, a native of Calvert county, Maryland, a man of high moral character and exalted patriotism, eminent in his profession, and who, as a vigorous writer and acute reasoner, had no superior and few equals. The immigration from Maryland—chiefly from Calvert, Prince George and Montgomery counties—consisted, for the most part, of educated and wealthy planters—the Covingtons, Graysons, Chews, Calvits, Wilkinsons, Freelands, Wailes, Bowies and Magruders; and the Winstons, Dangerfields, and others from Virginia, who for a long time gave tone to the society of the Territorial capital.† It was a gay and fashionable place, compactly built for a mile or more from east to west, every hill in the neighborhood occupied by some gentleman's chateau. The presence of the military had its influence on society; punctilio and ceremony, parades and public entertainments were the features of the place. It was, of course, the haunt of politicians and office hunters; the center of political intrigue; the point to which all persons in pursuit of land or occupation first came. Was famous for its wine par-

*The venerable Joseph Caldwell was at the head of it, a man of rare attainments. He removed to Monticello, Lawrence county, and as late as 1835 was clerk of the circuit and county court.

†Leonard Covington entered the army at an early age; was lieutenant in Wayne's legion in 1794, and greatly distinguished himself in the battle of the Maumee, having led a cavalry charge and killed two prominent warriors with his own sabre. Subsequently, returning to Maryland, he was elected to Congress from the Prince George district. When it became apparent that we were to have war with England he re-entered the army with the commission of colonel, became brigadier-general, and at the battle of Chrysler's Field, in Canada, Nov. 11, 1813, while at the head of his brigade leading it to the British entrenchments, he fell mortally wounded. He was riding a white charger, waving his sword, cheering his men, and was killed by a shot from Chrysler's barn, in which a strong detachment of the enemy was posted.

General Covington's widow and children then, and for many years after, resided near Washington, on the place now owned by Mrs. Dr. Branch. His brother, Alexander Covington, and his son, Levin Covington, and his nephew Covington Rawlings were, successively, Judges of Probates for the county of Adams.

The son-in-law of General Covington, the late B. L. C. Wailes, at the time of his death State Geologist of Mississippi, was a man of rare ability and attainments. In literature and science he was the formost man in the State, and would have achieved the greatest eminence had his life been spared.

The family of Grayson has long been distinguished in Virginia. One of them was an aid to General Washington. Another was a Senator in Congress, and a member of the Virginia Convention of 1788—the ablest body that ever assembled in this country—and he was one of its most distinguished members. He stood by Patrick Henry against the adoption of the Federal Constitution, and was one of the first, one of the boldest, and one of the most steadfast, in asserting and insisting on our right to the navigation of the Mississippi, at a period when Spain claimed the exclusive privilege, and when, too, many of our statesmen were timidly inclined to surrender it.

Beverly R. Grayson came in early life from Virginia to the Mississippi Territory. He became clerk of the Legislature, a Representative in it, Register of the U. S. Land Office, and was to the close of his life one of our most valuable citizens. His brother, Col. Grayson, was adjutant-general of the army, and specially in the confidence of Gen. Jackson. This gentleman left three sons, two of whom were distinguished members of the Natchez bar. Both died in the prime of life. One of the family fell in Gen. Walker's Nicaragua expedition, and another, the late Mr. Spence Grayson of Yazoo, was a distinguished writer on polemics and metaphysics.

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ties and dinners, usually enlivened by one or more duels directly afterward. Such was this now deserted and forlorn looking village, during Territorial organization. In its forums there was more oratory, in its salons more wit and beauty than we have ever witnessed since—all now mouldering, neglected and forgotten, in the desolate graveyard of the ancient capital.

Governor Williams appointed to his staff, William Scott, with the rank of colonel, Wm. B. Shields,* Wm. Wooldridge and Dr. John F. Carmichael, with the rank of major.

He issued his proclamation for the Legislature to assemble on the 1st July. Matters were progressing very quietly, when suddenly there occured one of those incidents, common in most frontier countries, but from which, owing to the high tone and conservative character of our early population, we had heretofore been exempt. The 31° of north latitude, leaving the river just below Fort Adams, it will be remembered, was the dividing line between the Mississippi Territory and the then Spanish province of West Florida. Both sides of the line were occupied chiefly by Americans, and no good feeling existed among them, the Mississippians regarding many of those below the line as renegades and monarchists, a judgment by no means just, because most of them had obtained their grants of land and opened their plantations when the country was under the flag of Great Britain. When the line was defined they found themselves in West Florida, and under the Spanish flag. Many of them, undoubtedly, would have preferred a residence on the American side, but the act of Congress precluded them from carrying their negroes into the new Territory, and to dispose of their lands at that time was to sacrifice them for half their value. Thus, from necessity, they were compelled to continue in the Spanish province. Some, too, as was stated by the people of the Mississippi Territory in their memorial to Congress, disgusted with the conduct of Ellicott, and by the arbitrary measures of the first Governor, had removed below the line, hoping to find there a quieter refuge.

At that period there were three brothers, Reuben, Samuel and Nathan Kemper, natives of Fauquier county, Virginia, residing near the line, in the vicinty of Pinkneyville. They were men of marked individuality, of undaunted courage and great physical strength, thorough republicans, and devoted to their country. They were open and fearless in the expression of their opinions of measures and of men, were somewhat domineering in temperament, and took no pains to conceal their aversion to the Spaniards. Such men, of course, have their personal enemies, who equally hate and fear them.

1805. On the night of the 3d September an armed party, consisting of whites and negroes, broke into the house known as the Kemper

*A native of Delaware, connected with the Bayards and Rodneys of that noble little State. He was a man of education and talent, of ardent and energetic temperaments, warm in his attachment, devoted to his friends and greatly beloved by them. He was a leading member of the Legislature, Attorney-General, and Judge of the United States Court for the district, all of which positions he filled with ability. His personal qualities and stern integrity secured for him universal respect. He was a recognized leader of the republican (democratic) party during his whole career. As a judge he was patient, laborious, discriminating and scrupulously impartial. It was in his house that S. S. Prentiss had his first home in Mississippi.

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tavern, two miles from Pinkneyville, seized Reuben Kemper in his bed and dragged him out of doors, beating him severely with their clubs. Immediately afterwards they dragged Nathan Kemper from his bed, and threatened to kill his wife if she left her bed. The two were bound and conducted on the road towards Pinkneyville, to the plantation of Abraham Horton, and thence down the road towards the line of demarkation. Here they were joined by another party who had in custody Samuel Kemper, who had been seized in his house in Pinkneyville. Then they were carried across the line into the Spanish territory, and delivered to Capt. Solomon Alston, of the Spanish patrol, who marched them to Tunica landing and placed them in a pirogue, under a guard of six armed men, with orders to deliver them at the fort at Baton Rouge. Passing about daylight near the shore of Point Coupee, were Lieutenant Wilson was stationed with a small detachment of United States troops, the prisoners cried out that they were Americans. They were soon overtaken by a boat from the garrison and the whole party taken into custody, and, subsequently, were sent to the Governor of the Mississippi Territory.

The affair was made the subject of judicial inquiry before Judge Rodney, who, in a note to Governor Williams, says:

"The outrage appears to have been committed by a combination of persons, some above the line. Among them was a Dr. Bonner, Henry Flower and a Mr. McDermott, who are said to have been active above the line, though their residence is below it. The party was composed of twelve white men and seven negroes. This party with their prisoners crossed the line a few feet, and delivered them there to Captain Alston and his party of twelve men, who conducted the prisoners to Tunica landing, and placing them in a boat ordered six of his men, viz: Wm. Barker, Charles Stewart, John Morris, John Ratliff, George Rowe and Adam Bingaman, to take them to Baton Rouge. They were intercepted by Lieutenant Wilson, U. S. A., who released the prisoners and took the Spanish subjects in custody. It appearing that those six persons had not crossed the line, they were released. None of this party who acted above the line were brought before me and no arrests have been made. The three Kempers have been required to enter into recognizance to keep the peace, especially towards Spanish subjects."

It appears that in consequence of previous outrages alleged to have been committed by the Kempers and others, residing above the line, and from a dread of fillibustering, Col. Grand-pre maintained a patrol on the Spanish side, commanded by Capt. Alston and Lieut. Glasscock. The affidavit of Adam Bingaman, of Alston's patrol, shows how the affair was conducted."

"On the night of the 3d September, I was one of a party commanded by Captain Alston, stationed within a few yards of the line of demarcation, for the purpose, as he informed us, of seizing the Kempers, who were expected to come from the Mississippi Territory. At about fifty yards above the line we saw a party approach. Captain Alston hailed them, and they silently delivered the three Kempers to Alston, and retired whence they came."

Reuben Kemper, in his deposition, states that of the party that seized him he recognized Louis Richie, Minor Butler, Abraham Horton, James Horton, and two others whose names he did not recollect, all of whom resided in the Mississippi Territory, and Marcus Carr, James Say, Phillip Say, and others, Spanish subjects. Three of the negroes he recognized as the slaves of Abraham Horton.

The fact that persons on both sides of the line took part in this trans-

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action would indicate that it was one of those border feuds or vendettas, so common on frontiers.

The following letter refers to alleged outrages of the Kempers on Spanish subjects:

FROM THE MARQUIS DE CASA CALVO, REPRESENTING THE KING OF SPAIN, TO GOVERNOR CLAIBORNE.

NEW ORLEANS, August 11th, 1804.

"I had hoped that the indulgence heretofore granted to the Kemper party, by the Spanish authorities, on the mere verbal interposition of your Excellency, would have induced them to remain quiet on their plantations. I am, however, just notified that Nathan and Samuel Kemper, with armed followers, are constantly riding about, threatening our peaceable inhabitants. They have cruelly whipped several and on the 3d inst., killed a constable. At the same moment their brother, Reuben Kemper, is writing threatening letters from this city to Judge Alexander Sterling. On the 7th they seized the captain of militia, Don Vincent Pintard, the magistrate, Don Juan O'Connor, and the planter, Champnes Terry, whom they held in custody. They have hoisted a standard, bearing seven stripes, white and blue, with two stars above the upper stripe. They made an attempt to capture Don Carlos Grand-pre, in his house, and to surprise the fort of Baton Rouge, but failed. Only two or three bands of twenty-five or thirty men have yet been seen, but our alcaldes report the district of Baton Rouge and of the Tunicas in insurrection. The Governor of West Florida will take measures to repress these disorders. And I now address myself to your Excellency, in consideration of the good understanding between our two nations, to prevent these incendiaries from finding refuge in the territories under your charge."

In reply Governor Claiborne informed him that "the insurgents in West Florida had received no encouragement from the United States or its officers," and that non-intervention would be the policy strictly observed.

Governor Williams was much aggravated, and would gladly have measured swords with the Spaniards, and the people of the Territory would have responded, as one man, to his call. But the policy of the United States was patience and forbearance, and he contented himself with a proclamation, and an order to Col. John Ellis, of the 5th Regiment, M. M., "to assemble two complete companies, to patrol the line and arrest all armed parties and equivocal characters." He likewise reported the matter to Colonel Grand-pre, who in reply, said:

"I have received your letter relative to the extraordinary event at Pinkneyville, viz: The assault on the Kempers by persons unknown and disguised. I had no information of this matter until the night of the 7th, from one of my captains of patrol, who, since the inroads committed by the banditti under lead of the Kempers, have been stationed near the line. He informed me that late on the night of the 3d inst., while at his post near the line, he was hailed by an armed party, disguised, and to him unknown, who were conducting three prisoners strongly pinioned, whom they immediately abandoned, and retired hastily on the road they had come, without uttering a word. Recognizing these prisoners as the Kempers he deemed it his duty to deliver them to me and was on his way to my fort, when the United States troops interposed. This is all the information I have of this mysterious affair."

Dr. William Lattimore, of Wilkinson county, was elected delegate to Congress, vice Thomas Marston Green, deceased.*

*Drs. David and Wm. Lattimore, from near Norfolk, Virginia, settled at Natchez in 1801, and became eminent in the practice of medicine. They were men of sense and cultivation and wrote and spoke fluently and forcibly. In private life

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1805. The city of Natchez had been incorporated with ample powers in 1803. In 1805, these powers were enlarged, establishing a mayor's court having jurisdiction of all civil cases within the city to the amount of five hundred dollars. The proceedings of this court, says Monette, became so arbitrary and oppressive that it became the occasion of a public meeting and of a presentment by the grand jury as a public nuisance." The late Judge Turner, in a note on this, says: "The court was highly useful and respectable, but its monthly terms were too summary for debtors—hence the outcry."

The same year the Natchez Hospital was incorporated. Mr. George Cochrane had bequeathed $1,000 for such an institution, but Judge Turner states that Charles McKiernan, (whose name and memory have passed away,) was the principal benefactor. Our most distinguished physicians, Drs. Frederic Seip, David Lattimore, Andrew Macreary, James Speed, G. E. Pendergrast, Joseph Macreary and Wm. Lyon, offered their services gratuitously.

In this year, the Territory was greatly benefitted by treaties negotiated by the United States with the Cherokees, Creeks and Choctaws, by which they conceded the privilege of opening roads through their respective districts. Previous to this, our communication with Georgia and Tennessee was by the old Indian paths or trails. One of these trails ran from Knoxville, in East Tennessee, through the Tombigbee settlements to Mobile. One from the shores of Lake Pontchartrain to the Tombigbee. One from the Ocmulgee river to Fort Stoddart. One from Natchez to Fort Stoddardt, on Tombigbee, and thence to Pensacola. And one, (the most traveled,) from Natchez to the Grindstone ford, on Bayou Pierre, thence through the Choctaw and Chickasaw nations, to Colbert's ferry on Tennessee river; thence to Duck river and Nashville. This was known as the "old Natchez trace," and was the principal scene of the robber Mason's exploits. All the country between the Grindstone ford and the Chickasaw towns near where Pontotoc now stands, was called "the wilderness," and on horseback and on foot were the only modes of traveling.†

†FROM THE SECRETARY OF WAR TO CAPTAIN GUION, AT NATCHEZ, DATED SEPTEMBER 29TH, 1797.

Mr. Benjamin Hawkins, principal agent for the Southwestern Indians, has organized a line of runners, through his jurisdiction, to carry orders, letters and dispatches. One of these will pass from the Choctaw and Chickasaw nations, once every three weeks, to the little Turkey town in the Creek country, and thence to Tellico, in Tennessee, and to Colonel Gaither's headquarters on the Oconee.

A Mr. Mitchell is resident agent among the Choctaws. You will send your dispatches to him by courier, to be forwarded by the aforesaid Indian runners.

It was not until 1807 that the first wagon road from St. Stephens, on the Tombigbee, to Natchez, was located and opened under the

greatly beloved. Wm. Lattimore settled in that part of Wilkinson which subsequently became the county of Amite; was elected to Congress in 1805, and re-elected a second time, when he was succeeded by George Poindexter, who, after serving four years, declined a re-election. Dr. Lattimore was again elected and served until Mississippi became a State in 1817. His last public service was as Commissioner, in conjunction with General Thomas Hinds and Judge Peter A. Vandorn, to select a proper site for the seat of government of the State. They selected the present city of Jackson.

Dr. Wm. Lattimore died in Amite county, April 3d, 1843. He was one of the purest of our public men.

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supervision of James Caller, Harry Toulmin, and Leonard Henry, although Washington county, embracing the whole country from Pearl river to the Chatahoochie, had been organized by Governor Sargent.

THE SABINE EXPEDITION.

1806. March 18th, the Secretary of War advised General Wilkinson, then at St. Louis, that the Spaniards were concentrating troops west of the Rio Grande, and directed him to despatch Colonel Cushing with three companies, to reinforce Major Porter, then in command at Natchitoches, our extreme post in that quarter. The remainder of the troops (reserving one company only,) were to follow under Lieutenant-Colonel Kingsbury, to Fort Adams, to be within easy call of Cushing should the enemy make it necessary.

To understand the movement thoroughly, we must recur back to 1712, when St. Denys passed from the French colony of Mobile, up the Red river, to the Spanish territory. His ostensible object was to open a traffic with the people of New Spain, but the real design was to reconnoiter the country with a view to the extension of the French dominion over it. He left several Frenchmen at the point where Natchitoches now stands, which was then the chief village of the Natchitoches Indians, with whom those Frenchmen soon identified themselves, adopting their habits and costume, learning their language and taking wives from their lodges. In 1716 the French built a fort and established a garrison there. When the Duke de Linares, viceroy of Mexico, heard of this he ordered troops and missionaries into Texas, and on the 21st May, 1717, he was notified by Captain Don Alonzo de Leon that he had erected and garrisoned a fort called San Miguel de los Adaes, within five leagues of the French post. They thus remained in observation of each other, without coming into actual collision. In 1742 the greatest flood ever known in Red river, before or since, occurred. The fort stood near the margin, and was in danger from the rapid rise of the waters. The French commandant obtained leave from Don Manuel de Sandoval, the Spanish Colonel at Adaes, to move a musket shot further back to a higher position. When the Viceroy was informed of this he immediately sent Colonel de Brito to supercede Sandoval, who was despatched under arrest to Mexico, court-martialed and dismissed the service. The Governor of Texas received orders to expel the French. But the French commandant, by some means, induced the Spaniard to suspend his march until the two governments could be heard from, and in the interim they would jointly consider the Arroya-Hondo, (a deep ravine midway between Natchitoches and Adaes) as the boundary. And thus it stood until 1762, when Louisiana was ceded to Spain, by whom it was re-ceded to France, and by France sold to the United States, which, under the French title, claimed the Sabine river as the true line of demarcation.

The post or mission of Adaes grew to be an interesting village, having a population made up of Spanish veterans, Mexicans and the hybrid races which constituted such a peculiar feature of French and Spanish colonization. As late as 1805, it was visited by Don Felician Marrio, Bishop of New Leon, who celebrated high mass, christened two hundred children and consecrated a grave yard.

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In 1806, the Spaniards, by order of the Captain-General, Salcedo, under General Cordero, crossed the Sabine, and Colonel Herrera, with the advance, posted himself at Adaes. Governor Claiborne, of the Orleans Territory, was, at that moment, reviewing and organizing the militia of the frontier parishes. On hearing of the Spanish occupation he posted to Natchez to confer with acting Governor Mead.* Returning to Red River he took measures to concentrate the militia at Natchitoches, and while waiting for them, addressed a note of remonstrance and of warning to Colonel Herrera, which he, in turn, transmitted to General Cordero. "While the Governor and Herrera," says Gayarre, "were thus confronting each other, the latter fell dangerously ill. The Governor learning that he was destitute of medical attendance, sent Dr. Haywood with a note tendering him every civility in his power, and expressing a wish for his speedy recovery. This act of courtesy made a most favorable impression on the sensitive Spaniards, but the illness of the General suspended negotiations."

"Governor Claiborne," says Gayarre, "proposed to take the offensive against the Spaniards, but Colonel Cushing objected that this would be contrary to the instructions of General Wilkinson." General Wilkinson arrived at Natchez September 8th, and after an interview with acting Governor Mead, wrote to the Secretary of War:

"I have seen the plan agreed on by Governor Claiborne and himself, the first article of which appears to be in direct opposition to your order respecting the the removal of the Spaniards from Bayou Pierre to which they have fallen back from the vicinity of Adæs. Governor Claiborne has arrayed the militia in the western parishes, but I shall discourage their march until I penetrate the design of the Spaniards, and find them deaf to remonstrance. While I pursue this temperate course in opposition to the ardor which I discern in the executives of Louisiana and Mississippi,† I pledge my life that no act shall be suffered to tarnish the national honor."

MEMORANDUM.

*The undersigned having learned that a considerable Spanish force has crossed the Sabine, with the avowed purpose of establishing a garrison at, or near, Bayou Pierre, in the immediate neighborhood of Natchitoches, are of opinion: 1st. That unless the orders issued, some time since, by the Secretary of War, to Major Porter, commanding at Natchitoches, not to permit an armed party of men to cross the Sabine, have been rescinded, it is advisable to dislodge the said armed force, and retire them to the west side of the Sabine. 2. That if the United States troops at Natchitoches should not be deemed sufficient to effect this, that a part of the militia of the Territory of Orleans shall be ordered immediately to Natchitoches. 3. That to encourage the militia of the Territory of Orleans to turn out promptly, Governor Claiborne's presence is necessary in the parishes of Rapide and Natchitoches. 4. For the security of the two Territories, and particularly of New Orleans, the militia of Mississippi Territory shall be placed on the best possible footing. Orders to be issued for battallion and company musters, and should the safety of New Orleans be threatened, the acting governor shall promptly order to its aid such portion of the militia as the safety of his own Territory will authorize. 5. In the event of hostilities in the vicinity of Natchitoches, a detachment of at least one hundred mounted infantry shall be dispatched from the Mississippi Territory. 6. That in the absence of Governor Claiborne from New Orleans, the acting governor of Mississippi Territory shall maintain a regular communication with the mayor of that city.

Signed at Natchez, August 17th, 1806.

WM. C. C. CLAIBORNE,
COWLES MEAD.

†This military "ardor" which General Wilkinson noticed in Governors Claiborne and Mead, was shared by the people, and has always been a characteristic of Mississippians and Louisianians when the country called for their services.

In a letter now before me from Governor Mead to the Ho n. George Poindexter,

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The detachment of Mississippi troops collected by Governor Mead, at the instance of Governor Claiborne, now marched for Natchitoches.*

General Wilkinson arrived September 19th, but the Spaniards (being all cavalry) had fallen back for the want of forage and provisions. On the 24th he addressed Governor Cordero, who replied as follows:

CAMP AT NATCHITOCHES, October 11th, 1806.

Your Excellency was informed on the 29th ult., of my having sent your letter of the 24th to the Captain-General Brigadier General Don Nemesis Salcedo, under whose orders I act, and must await his reply. I flattered myself that, from motives of humanity, and from the good understanding between our governments, your Excellency would have awaited the Capain-General's reply to determine your operations, inasmuch as I am not at liberty to deviate from the orders given me, which are to recognize the Hondo and not the Sabine, as the eastern boundary of this province, and to assert our jurisdiction over the same.

Contrary to this expectation I see by your letter of the 4th which has just been received, that you have put your troops in motion for the Sabine "without any hostile intention to the Spaniards, and only to maintain the jurisdiction of the United States east of that river." Your Excellency knows the sacred duty of a soldier, and I beg to say that, without attributing to your movement a desire to provoke hostilities, I must oppose it, under my orders, to prevent aggression, and to maintain, as long as I am able, the dominions of my sovereign. I leave to your Excellency the choice after the receipt of this letter.

The Spaniards were about 1500 strong, with reinforcements in their rear, and Herrera and Cordero were experienced officers.

The general opinion, after the receipt of this letter, was that the Spaniards would attempt to advance when their reinforcements came up, but on the morning of November 5th, the following general order appeared:

HEADQUARTERS, CAMP LEFT BANK OF THE SABINE.

Parole, America,
Countersign, Washington.

His Excellency Governor Herrera, the military chief immediately opposed to this corps having agreed to withdraw his troops to Nacogdoches, and to pro-

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dated Washington, M. T., February 14th, 1808, he bears this testimony to a veteran which should not be forgotten: "When my order issued for the march to Natchitoches, Col. White of Claiborne county, a gray-haired veteran of '76, with the ardor of youth, entered the ranks as a private in the mounted infantry. He is old, poor and with a large family."

*MUSTER ROLL OF FIELD AND STAFF OFFICERS IN THE SABINE EXPEDITION.

Ferdinand L. Claiborne.....Major.
Thomas H. Williams.....Captain, Adjutant and Quarter-Master.
Frederic Seip.....Surgeon.
Heritage Howerton.....Quarter-Master Sergeant.
Joshua Knowlton.....Sergeant Major.

FROM THE NATCHEZ HERALD, OCTOBER 7, 1806.

A detachment of two hundred and fifty dragoons and mounted infantry, under command of Major Ferdinand L. Claiborne, crossed the Missssippi at this city on Sunday last, on their march to Nacthitoches, to assist General Wilkinson in repulsing the Spanish troops from within our limits.

Officers commanding the several companies: Captains Benjamin Farrar, George Poindexter, Alexander Bisland, Basil Abram, William T. Voss, Ralph Regan.

A company of dragoons from Jefferson county, under command of Capt. Thomas Hinds, will march in a few days to join the Battalion at Natchitoches—likewise a company of mounted infantry from Wilkinson county.

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hibit their crossing the Sabine river, pending the negotiations between the United States and Spain, the objects of this expedition are accomplished and the command will leave camp to-morrow. Colonel Cushing will lead the troops back to Natchitoches."*

The deposition of Colonel Cushing, 2d Regiment, U. S. A., sworn to November 15th, 1806, which has been seen by few readers of the present day, explains the mystery:

On or about the 8th October, 1806, I was sitting at table, in my quarters at Natchitoches, with General Wilkinson, when a gentleman entered the room and inquired for Colonel Cushing. He presented me a letter of introduction from General Dayton, of New Jersey, recommending him to my hospitality and attention. The gentlemen informed me that he was the Mr. Swartwout mentioned in the letters. I presented him to General Wilkinson and invited him to join us at table. He said that he and a friend had come down the river on their way to New Orleans, but hearing at Fort Adams that we were assembling troops at Natchitoches to march against the Spaniards, he had come to offer himself as a volunteer. While he was in my quarters I was called out on business and was absent five or ten minutes. Next morning General Wilkinson informed me that he had something of a very serious nature to communicate, so much so that although it was necessary to hold it in reserve at present, he begged me to bear it in mind, that I might be able to make a fair statement of it at any future period. He then asked me if I knew or had heard of an enterprise being on foot in the Western States? I replied that I had not, and asked him to what he alluded? He said that a great number of individuals of wealth, popularity and talents are, at this moment, associated for purposes inimical to the government. Colonel Burr is at their head, and the gentleman who delivered you the letter last evening is one of his emissaries. The story of serving as a volunteer is only a mask. He has brought me a letter from Colonel Burr, which being in cipher, I have not yet been fully able to make out, but I have discovered that his object is treasonable, and it is my duty to oppose him by every means in my power. He assures me that he has funds; that the navy is with him; offers to make me second in command, and to give the officers of the army anything I may ask for them, and requests me to send a confidential friend to confer with him at Nashville. In fact he seems to calculate that I, and the army are ready to join him. I asked the General if he had recei ed any instructions on the subject from the government? To which he replid he had not, and must therefore adopt such measures as in his judgment were best for the safety of the country. *He said he would immediately march to the Sabine and endeavor to make such terms with the Spanish commander as would justify*

*FROM THE NATCHEZ HERALD, NOVEMBER 11TH, 1806.

This day at noon his Excellency General Wilkinson arrived in town, accompanied by his Aid de Camp, Walter Burling, Esq., of this Territory, from whom we have the following brief summary of the General's operations on the borders of province of Texas, in opposition to the Spanish troops under the orders of Governors Cordero and Herrera:

The American army marched on the 23d, and reached the left bank of the Sabine river on the 31st ult., The General found Governor Herrera posted on the opposite bank, and encamped near him. Three unarmed Spanish soldiers were taken by the advanced guard on that day, whom the General returned to the Spanish camp, with a desire that the trespass might not be repeated, and which was duly respected. On the march the General had, by letters from the Spanish chief, been twice prohibited from crossing the Anoyafunda. On the 29th ult., he dispatched Captain Burling with a letter to Governor Cordero, in reply to these prohibitions, which produced some discussion between the chiefs, and on the 24th it was agreed by Governor Herrera, on the part of the Spaniards, that the American troops should retire to Natchitoches, and those of Spain to Nacogdoches, on the same day, and that these should not recross the Sabine, nor those the Anoyafunda, pending the pacific negotiations of the United States with Spain.

Thus the statu quo at the surrender of the province of Louisiana to the United States has been restored, the lives of our citizens spared, and the peace of our country preserved.

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him in removing the greater part of his force to the Mississippi; and that the moment this should be effected he would send me to New Orleans in a light barge, with orders to secure the French train of artillery at that post, and to put the place in the best possible condition for defence, and that he would follow with every man that could be spared from Natchitoches, with all possible expedition. He told me that he would communicate the information he had received to the President, and solicit instructions for his government, but as delay might prove ruinous, he would pursue the course suggested as the only means in his power to save the country, until the executive could be heard from. On our march to the Sabine the general told me that he thought his presence at New Orleans at an early period absolutely necessary, and that the moment he could make terms with the Spanish commander he would set out for that place, and leave me to bring on the troops."

DEPOSITION OF LIEUT-COLONEL THOMAS A. SMITH, U. S. A.

"Sometime between the 15th and 20th October, 1806, General Wilkinson communicated to me, under the strictest injunctions of confidence, the communications he had received from Aaron Burr through Mr. Swartwout. He said it was necessary to send a confidential letter to the President and decided that I should be the bearer of it, and it must be delivered with all possible dispatch. To prevent suspicion as to the object of my journey I must tender my resignation which he would accept in orders, but would have the matter understood at the War Office. The General mentioned the names of many persons of high rank as being concerned with Burr, and furnished me a cypher to communicate to him any information I might receive on the journey. He also required me to take an oath to conceal from all persons the object of my journey.

I delivered his letter to the President, having it concealed between the soles of a slipper which I opened according to the General's order, in his presence."

In that letter, after recapitulating the substance of Swartwout's communications and of Burr's letter, and his view of the proper measures for the defence of the country he says, "*I believe I shall make the best compromise I can with Salcedo,* and throw myself with my little band into New Orleans, to be ready to defend against usurpation and violence."

General Wilkinson's situation was delicate and perplexing. While an armed expedition, with treasonable intentions, was supposed to be advancing towards New Orleans, his orders required him to keep the Spaniards then in his front on the western side of the Sabine.

The following deposition of Col. Walter Burling, a prominent citizen of Natchez, sworn to before Jonathan Davis, Justice of the Peace for Adams county, M. T., September 10th, 1807, gives full and interesting details:

"At the request of General Wilkinson, I have drawn up the following plain statement of such facts as came within my knowledge, relative to his conduct, during the expedition to the Sabine. Immediately after I was informed of General Wilkinson's arrival at Natchez, in the autumn of 1806, I waited upon him, merely to express my regard for a valued acquaintance, and my respect for an officer of rank. I saw him but two or three times. At one interview he expressed a wish that I should accompany him, or come on with the militia, which were to be ordered to Natchitoches. I did not positively promise him that I would, but I was induced by circumstances which had no relation to him, to ride as a volunteer in Captain Farrar's troop, one of the corps ordered from this Territory, to oppose the aggressions of the Spaniards in Louisiana. I think the troop reached Natchitoches on the morning of the 14th or 15th of October.

Before we dismounted, I was directed by Captain Farrar, who had returned from making his report, to wait upon the General. I accordingly repaired to headquarters and was received by him with great cordiality; observing that I was fatigued and indisposed, he proposed that I should repose an hour or

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two, and that when I should be refreshed, he wished to have some conversation with me, giving me to understand that it would be interesting. I do not recollect, whether it was on the evening of that day or the next morning that the General communicated to me the information he had obtained respecting the views of Mr. Burr. After having explained to me the general objects which Mr. Burr proposed to attain, he spoke of what he (Mr. Burr) calculated upon as his means. Among others, was the expected support of General Wilkinson, and through his influence, that of the majority of the force under his command. General Wilkinson observed to me that Mr. Burr's expedition was pointed against Mexico; that Mr. Burr had reason to expect important auxiliaries in that country; and that he had held out great offers to him, such as the second in command, etc.

Without expressing an opinion himself, respecting this scheme of Mr. Burr's, he desired me to give mine, as to the measures he ought to pursue. Although I should have felt no hesitation in pronouncing, at the moment, what I conceived to be his duty, I deemed it proper to waive an immediate reply, and therefore observed to the General, that the question was of such importance, and took me so entirely unprepared, that I must demand until the next morning, to give my answer. I accordingly waited on him next morning, prepared to give my opinion; but without waiting for it, he told me he had made up his mind as to the steps proper to be taken. That his orders were peremptory, to take possession of the country between the Arroya Honda and the Sabine, and that although he felt the importance of using the most prompt and efficacious means to save New Orleans from Mr. Burr, yet he could not take upon himself to dispense with the execution of the pointed orders he had received. He had no hope of receiving fresh instructions from the government in time to oppose Mr. Burr with effect; he must, therefore, take great responsibility on himself; but expressed his hope and belief that the extraordinary circumstances in which he was placed, and the importance of the object, would justify him to the government and the country. His plan was to push on his troops as fast as possible to the Sabine, to fight the Spaniards if they opposed his march; but, if possible, to effect an honorable accommodation with them, and hasten with all possible expedition to New Orleans, in order to save that city, provided he should be fortunate enough to arrive there before Mr. Burr. In the meantime, he sent orders to the officer commanding at that place, to put it in the best possible state of defense, that his means and the shortness of the time would permit, without explaining to him the cause which rendered this measure necessary. In conformity with this decision, as soon as the means of transportation could be procured and other necessary arrangements effected, the troops moved from Natchitoches, commanded by the General in person, whom, at his request, I accompanied as an aid-de-camp. It being well ascertained on our march that the Spanish commander had withdrawn his troops to the right bank of the Sabine, some little difference of opinion arose at headquarters respecting the necessity of proceeding further. It was stated that we had as completely taken possession of the country in dispute by one day's march across the Arroya Honda, as we should do by proceeding to the Sabine; more especially as the Spaniards had abandoned the contested ground, and withdrawn themselves to their undisputed limits. It was contended, on the other part, that unless we went to the extent of the jurisdiction claimed by us, we did nothing; that the Spaniards had taken possession of the country with a large force, and had only withdrawn for their own convenience, without having, in the smallest degree, acknowledged our claim; but that, on the contrary, they still continued to urge their pretensions, and expressed their determination to enforce them; that the moment our troops were withdrawn, they would again take possession and establish such posts as they should deem necessary for keeping it. This was the General's opinion, and we accordingly pressed our march as fast as the state of the roads and means of transport would permit.

On the twenty-ninth of October, when within about twenty-five miles of the Sabine, General Wilkinson directed me to repair to the Spanish camp, with a letter to Governor Cordero, (whom we understood to be the commanding officer on that frontier) together with a copy to be left with Colonel Herrera, the officer who commanded on the Sabine. I was directed to proceed, if I was permitted, to Nacogdoches, and after having delivered my despatches to Gov-

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ernor Cordero, to use every argument I could with propriety suggest, to induce his acquiescence with the General's proposals. On my route to the Sabine, I met a Spanish officer who was the bearer of despatches from the Governor-General Salcedo, to General Wilkinson. I despatched one of the escort which accompanied me, to the General, for fresh instructions, if he had any, in consequence of the communications from Governor Salcedo. He rejoined me that night, with a letter from the General, directing me to proceed and do the best I could with Cordero, as Salcedo's letter said nothing which I would perceive by a copy of the translation which he enclosed to me.

I accordingly, next morning, presented myself at the Spanish out-post, and after a little delay, was conducted to the quarters of the second in command. I was, shortly after, presented to the commanding officer, Colonel Herrera, to whom, after having delivered the copy of the General's letter to Cordero, I communicated his request that I might be permitted to proceed to Nacogdoches. Without entering into any explanation, he immediately assented; ordered an escort to conduct me; and in half an hour I left the Spanish camp for Nacogdoches. While I remained with Colonel Herrera, our conversation was altogether on general subjects, and held in the presence of several of his officers, and some of the gentlemen who accompanied me. I found they had already constructed barracks, sufficient for five or six hundred men, and were busily employed in erecting more. Everything seemed to indicate their intention of passing the winter in their present camp, and I began to augur unfavorably of the issue of my mission.

I reached Nacogdoches about noon, I think, on the 1st November; after dinner, Governor Cordero sent for an interpreter to translate the General's letter, and retired with him. I saw him no more until the evening, when he informed me that he would prepare his reply the next morning, and despatch me, as I requested, without delay. He observed that the proposal of the General met his wishes completely; but that he was tied up by the orders he had received from his General, and could not stipulate formally for any conditions until he received instructions from him, which could not arrive in less than fifteen days. As our object was despatch, I urged all I could think of to induce him to take the responsibility upon himself; but all in vain; the awe in which he stood of his General was not to be surmounted; and I saw with pain, that at my return, the General would find himself in an unpleasant dilemma. The next morning, after trying once more, if anything could be done with Cordero, and being equally unsuccessful, I took my leave, and the second evening reached the Spanish camp, where I was received with marked politeness by Colonel Herrera, who informed me that had he been acquainted with the contents of the letter I had left in his hands, he would have saved me the trouble of my ride to Nacogdoches. He said it was too late to write that evening to the General, but that he would send the officer, who was inspector of the troops, and second in command, to visit the General the next morning, upon the subject of his proposal.

I left him and reached our camp about eight o'clock. The next morning I made a report of the circumstances of my mission to the General.

The following morning, the inspector Viana, came to our camp, when the agreement was made, which removed our difficulties for the time; and, shortly after, the General, leaving the troops under the command of Colonel Cushing, set off for Natchitoches, whither I accompanied him. After a short stay at this place, we proceeded to Natchez, where I took my leave of him as a public man, nor have I, since that period, had any communication with him of a public nature.

I take this occasion to declare, in the most solemn manner, that in all General Wilkinson's transactions, from the time that I entered into his family, until I left him to follow my private pursuits, he appeared to have no other object in view than the faithful performance of his duty. That I did not perceive in him the smallest doubt or hesitation, respecting the necessity and propriety of endeavoring to defeat Mr. Burr's views, by every means in his power; and further, that all his negotiations with the Spaniards on the Sabine, were pure and honorable, and directed solely to the attainment of his grand object, that of being at liberty so to dispose of his force as would enable him more effectually to counteract the plans of Mr. Burr and his adherents."

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These documents show how and why the Sabine expedition terminated without bloodshed. The army, which, of course, was not in the secret, was greatly dissatisfied. The volunteers clamored against the order to retire. The people and the press denounced General Wilkinson, and he was openly accused of having been bribed by General Salcedo! Bribed for what? He had reclaimed and marched over every foot of the country the Spaniards had invaded, and had seen their army retire before him to their own side of the Sabine. And he had carried out the cherished policy of the government and the injunctions of the Secretary of War to avoid, by every means short of dishonor, a collision with Spain.

It cannot be doubted that Wilkinson believed that Burr proposed to seize New Orleans, with ulterior designs on Mexico. He communicated this to the Spanish general, and the necessity of his presence, with his troops, in New Orleans, in the interest of the United States and of Spain. The point of honor would not allow him to retrogade, with the Spanish army in his front to re-occupy the disputed district. And he, therefore, proposed that our army should withdraw to Natchitoches and the other to Nagadoches, adjourning the question of boundaries to be arranged by their respective governments, and gave as a motive the movement of Burr. The Spanish general, startled by the intelligence, accepted the proposition.

These negotiations, of course, required some communication between the parties, and from necessity were confidential, which gave rise to malicious whispers and surmises, and eventually to a wide-spread suspicion of the American General.

In 1808, when John Randolph, soured with the administration and with mankind, was savagely attacking General Wilkinson, George Poindexter, delegate from Mississippi, (Captain of the Blues in the Sabine expedition) drew up for him a statement, which embodies the rumors and suspicions that prevailed in the Territory. It is here inserted, from the original, in the hand-writing of Mr. Poindexter:

STATEMENT.

At the conclusion of the Sabine expedition, General Wilkinson returned to Natchez and spent several weeks at the house of Stephen Minor, a *Spanish officer*, who resides at that place. The retreat of the Spanish detachment to Nachidoches, it was understood, had been procured by stipulation, the grounds of which remained within the exclusive knowledge of the commanders of the troops of the two countries.

During the expedition, General Wilkinson appointed Walter Burling, Esq., then a private in the company of dragoons from the Mississippi Territory, his aid-de-camp, and intrusted him with the negotiation which was pending with the Spanish officers. This gentleman resides near Natchez, and is possessed of an estate which yields him a very large annual income. He accompanied General Wilkinson to Natchez and, in a few days after their arrival, he left the Mississippi Territory under the pretext of an intention to go to St. Antoine, for the purpose of purchasing a number of mules. It appeared to me extraordinary that a man of Mr. Burling's fortune should undertake a project of that kind, and especially as he took no person with him to assist in driving the mules he might purchase to market. The story excited suspicion in the country that he was the agent of General Wilkinson in negotiating with the Spanish government of Mexico, on some dark, mysterious business, which could not bear the light of day. The result was, that Mr. Burling went, under a Spanish military escort, to the City of Mexico, had an interview with the vice-roy, and from thence proceeded to La Vera Cruz, and from thence to New Orleans, at which place

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he arrived before General Wilkinson's departure for the city of Richmond. This extraordinary mission naturally leads the mind to enquire, what right General Wilkinson had to appoint an envoy extraordinary to *the Court of Mexico?* Who paid his outfit? Why he was protected by a Spanish military escort? What purpose could be answered, favorable to the government of the United States, by an application to a mere local officer in a country which has no intercourse with the nations of the earth, and in which an American citizen is not permitted to travel, unless he has a special license to do so, from a known Spanish officer, which is never granted except the object of the person applying for such license has views favorable to that government. The executive of the United States either knows, or ought to know, of this mission, and the object which it had in view. If that object was a legitimate one, the nation ought to be informed of it. Suspicion has attached to the transaction, in the Orleans and Mississippi Territories, where it originated, and where, perhaps, testimony of the *real* object might be obtained.

Mr. R. will pardon this hasty sketch. A more perfect one will be furnished if necessary. Yours obediently,

GEORGE POINDEXTER.

Washington City, January 12th, 1808.

This statement, implicating not only the commanding general of the army, but a venerated citizen of Natchez, an early immigrant from New England, conspicuous for his loyalty to the Union and his personal virtues, merits, even at this late day, an examination.

1806. When General Wilkinson reached Natchitoches from the Sabine November 5th, he found a number of letters and dispatches, confirming his opinion that there was a formidable conspiracy on foot to detach the Western States, and establish a new government, with New Orleans for its capital and Aaron Burr for its chief. After dispatching his forces down the river, he repaired to Natchez to concert measures with the executive of the Territory, and on the 12th thus addressed Governor Claiborne at New Orleans:

"I wrote you from Natchitoches on the 8th inst., by Major Porter, who descends with all the artillery and one hundred men, to be immediately followed by Colonel Cushing with every man, but one company. You are surrounded by dangers of which you dream not. The destruction of the American government is seriously menaced. The storm will probably burst in New Orleans where I shall meet it, and triumph or perish. The French train of light artillery is indispensable to our defence. I conjure you to aid Colonel Freeman in getting or taking possession of it. Assist him also in getting pickets to stockade the town and strengthen the old fortifications.

We shall have one thousand regulars in the city in three weeks and I look for succour by sea. I have little confidence in your militia, yet I trust we may find a few patriotic spirits among them. You have spies on your every movement, and our safety and success depend vitally on the concealment of our intentions."

His correspondence with Col. Constant Freeman, Colonel Cushing and Major Porter, then in New Orleans, for its defence, breathes the same spirit, a deep conviction of the impending conspiracy and a determination to do every thing in his power to crush it.

Mr. Poindexter thought it very suspicious that the General, on his arrival at Natchez, became the guest of "Major Minor, a Spanish officer." Major Minor had been in the Spanish service, but on the change of goverment had given his allegiance to the United States. He was an opulent planter, extremely hospitable, and lived in elegant style, in the immediate vicinity of Natchez.*

*It had been the residence of Governor Gayoso, and on his transfer to the government of Louisiana, was purchased by Governor Minor. It was called Concord

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1806. General Wilkinson had long known and esteemed Governor Minor, had often been his guest, as were most of the distinguished persons who visited Natchez, and he certainly made no secret of it. His staff officers were at Concord with him; he there received the calls of the citizens; and on the 12th November, addressing the President of the United States, he takes the pains to date his letter, *Residence of Governor Minor, near Natchez*, which he certainly would not have done had he gone there to engage in the dark intrigues hinted at by Mr. Poindexter.*

In respect to the mission of Colonel Burling to Mexico, which Mr. Poindexter and Mr. Randolph, not being in the secret, considered so suspicious, we will let General Wilkinson explain himself:

"As soon as I had disengaged myself from the Spaniards on the Sabine river in the autumn of 1806, and was satisfied that an illicit project was on foot which menaced the Spanish provinces, as well as the peace of the United States, I determined on grounds of public duty and military enterprise to attempt to penetrate the veil which concealed the route to the city of Mexico, and the military defences which intervened, feeling that the equivocal relations of the two countries justified the ruse. I prepared a suitable passport and committed the execution of the design to a dear and honored friend, whose zeal and patriotism were unequalled but by his integrity and honor, and his fitness for the undertaking."

In 1798, when constructing Fort Adams, Wilkinson had been summoned to the seat of government by General Hamilton, then in actual command of the army of the United States, and was specially called on by him for information "as to the disposition of the Spaniards in our vicinity, their strength and fortifications." And this very information could only be obtained by dispatching a confidential and intelligent agent to Mexico overland. The jealousy of the Spanish authorities was proverbial, and strictly prohibited such journeys, but he took advantage of circumstances, and furnished Colonel Burling with the following passport:

TO ALL PERSONS WHOM IT MAY CONCERN:

WHEREAS, Aaron Burr, at the head of a powerful combination of lawless citizens of the United States, in violation of the laws of said States and without the privity of the government, is preparing to carry an expedition into the territory of his Catholic Majesty, who is at peace with the United States,

I have thought proper, agreeably to the principles of good faith, and to exonerate my government from any suspicion of participation in this design, to authorize the bearer hereof, Walter Burling, to pass all guards and garrisons of the United States and to proceed to the city of Mexico, for the purpose of handing to the Viceroy a detailed report of said Burr's plans and designs.

Given at Natchez, Territory of Mississippi, witness my hand and seal of arms. JAMES WILKINSON.

November 15, 1806.

The report of Colonel Burling, made over seventy years ago, is ex-

by Gayoso, in token of the friendly relations he maintained with the inhabitants, and as long as Governor Minor or his estimable widow or his highly respected son lived, Wm. J. Minor, lived there, and until the late civil war, it was maintained in the highest style of Southern hospitality and elegance. No residence in Mississippi has so many historical associations connected with it.

*The General proceeds immediately to New Orleans, leaving Mrs. Wilkinson, we are sorry to add, extremely ill at Governor Minor's.—Natchez Herald, November 11th, 1806.

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tremely fresh and interesting, and has as much value topographically, as though made but yesterday. And it supplies the information that Hamilton wanted from Wilkinson, when he summoned him to Philadelphia in 1799—the internal condition of Mexico and the proper line of approach.

When our volunteers got back to Mississippi they found it in a very excited condition owing to the reported movements of Aaron Burr. A thousand rumors prevailed, but the one generally received was that he was descending the river with two thousand men, to seize New Orleans, its treasure and its shipping, and then to invade Mexico. The conquest of Mexico from the Spaniards was a very popular proposition at that day in this section of the country, and had that been the sole object imputed to Burr, he would have found little or no opposition. But the seizure of New Orleans would be an act of hostility to the government of the United States, and the intense Union sentiment and national pride which have always characterized our people, were immediately aroused. Colonel Burr had his supporters—who believed or did not believe the unlawful designs attributed to him—but the great mass of the people, the whole fighting element of the Territory, regarded him as a traitor, and many, including Governor Mead and most of his political friends, unjustly, suspected General Wilkinson of complicity with him.

1806. On the 27th November, President Jefferson issued a proclamation, calling attention to an unlawful expedition reported to be in preparation.

Governor Williams had left the Territory on the 21st April on a visit to North Carolina, leaving it in the hands of Secretary Mead. December 23d he issued a proclamation calling attention to the unlawful expedition, and requiring all officers, civil and military, and all good citizens, to aid in suppressing it.*

*BY COWLES MEAD, SECRETARY EXECUTING THE POWERS AND PERFORMING THE DUTIES OF THE GOVERNOR OF MISSISSIPPI TERRITORY.

PROCLAMATION.

WHEREAS, Information from various sources, as well by affidavits as otherwise, has been communicated to me of the designs of an association whose object is the dismemberment of this and the neighboring countries from the Government of the United States; and,

WHEREAS, Every attempt of this kind must be ruinous and destructive of the numerous blessings which we now enjoy, under the auspices of a Government founded on the grand principles of political equality, and indiscriminate justice; and,

WHEREAS, The conspiracy is directed by men of secret and profound intrigue, for the aggrandizement of themselves and their minions, to the oppression of the great mass of the people, whom they are endeavoring to dupe and inveigle;

From the foregoing causes, I have thought proper to issue this my proclamation, for the purpose of guarding the good people of this Territory against the agents of this diabolical plot, and warn them of their danger from that quarter; and I do hereby solemnly call on and enjoin the officers, both civil and military, and the citizens of this Territory, to perform their sacred duties to their country, by aiding and abetting in the detection of any agents employed in this country, and if found, to be brought without delay, before the proper tribunals of the country, that they may receive their trials for such high offences against the peace and happiness of the Mississippi Territory, and the dignity and sovereignty of the United States. And I do further enjoin and require the officers and citizens of the Territory, to be on the alert and prove their patriotism by giving such assistance for the development of this traitorous project as their respective situations will afford; and,

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Cowles Mead was a Virginian, who went, at an early age, to Georgia, studied for the bar, and when barely eligible had a violent

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WHEREAS, I am aware of the influence of intrigue and misrepresentation, and that men of pure intentions may sometime be deluded; I do therefore invite all of this description if any, to return to the bosom of their country and the confidence of their Government; and,

WHEREAS, I have reasons to believe that many of the officers of this Government have not taken the oaths required by the ordinance of Congress and the Statute of this Territory; I do in consequence thereof, require all officers who have not taken the said oaths, to come forward and take the same in the course of fifteen days from the date of this proclamation; and in default thereof, I do hereby revoke all the powers, civil or military, which they possess, and their commissions are hereby vacated and annulled.

GIVEN under my hand and the seal of the Territory, at the town of Wash-
[L. S.] ington, this the twenty-third day of December, 1806, and of the Independence of the United States, the thirty-first.

COWLES MEAD.

HEADQUARTERS,
TOWN OF WASHINGTON, Dec. 25, 1806.

GENERAL ORDERS.

Having received information from various and correct sources, of the existence of a traitorous connection of individuals, who have formed themselves into an association for the purpose of executing designs inimical to the peace, happiness and union of our common country; and being willing and anxious, as the Representative of the Government of the United States, to pursue such measures as may best subserve its true interests and the interests of this Territory, I have deemed it essential at this crisis to issue these my General Orders, for the more complete organization of the militia of the Territory.

The 1st Regiment will muster at the town of Washington, on Tuesday, the 20th of January, at 11 o'clock.

The 2d Regiment on Saturday the 10th of January, at Greenville, at 11 o'clock.

The 4th Regiment on Monday the 12th of January, at Gibson-Port, at 11 o'clock.

The 5th Regiment on Saturday the 17th of January, at Piercy's Plantation, at 11 o'clock.

Every commissioned officer, non-commissioned officer and private, will appear on parade equipt according to law, or suffer the penalties therein prescribed.

By order of the Commander-in-Chief.

W. B. SHIELDS, Aid-de-Camp.

NATCHEZ, December 25, 1806.

REGIMENTAL ORDERS.

The Commander-in-Chief having issued his General Orders, directing that the 1st Regiment muster at the Town of Washington, on Tuesday the 20th of January, at 11 o'clock; and having stated the certainty of an association of designing and lawless individuals, who menace the peace and interest of our country; I do hereby enjoin and require the punctual attendance of the Regiment on the day, and at the place ordered; and at this very critical period, I solicit the officers commanding companies, carefully to enrol every man in their respective districts capable of bearing arms. It is expected that more than ordinary attention will be observed in bringing the companies to the field of muster, equipped agreeably to law.

FERDINAND L. CLAIBORNE,
Lieut.-Colonel Commandant.

ATTENTION!

The Company of militia, composing the Northern Division of this city, are ordered to attend a Regimental Muster, at the town of Washington, on Tuesday the 20th of January next, at 11 o'clock, armed and equipped according to law.

TIMOTHY TERRELL, Lieut. Commanding.

Natchez, December 29, 1806.

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contest with the Hon. Thomas Spaulding, an old politician and very wealthy planter, for Congress, and was returned. Mr. Spaulding contested the election. It appears that the statute of Georgia required all the returns to be made to the Governor within twenty days after the election; that three counties failed to make their returns within the prescribed period, whereupon the Governor proclaimed that Mead was elected by one hundred and sixty-nine votes, and gave him his certificate. It was established by claimant that a tremendous hurricane prevented the returns from these three counties in time, and that, if counted, they would give him a majority of thirty-one votes over the sitting member. The committee reported in favor of claimant, and, after an exciting debate of two days, the report was sustained by a vote of 62 to 52.

President Jefferson soon after appointed Mr. Mead Secretary for the Mississippi Territory, and it will be seen that, owing to the casual absence of Governor Williams, he performed the executive duties at the most important junctures.

The oratorical reputation of the young Secretary had preceded him. When he arrived at the Territorial capital, a public dinner was given in his honor, and the chronicles of the ancient village report that his speech enchanted the company. His conversational and declamatory powers were captivating, but exuberant. He was too rhetorical to appear logical and practical. His speeches were a succession of beautiful flights, exhortations and appeals; and although unquestionably a man of genius, he was classed as visionary, and often felt himself weighed down by very inferior men. In our utilitarian times this is not uncommon. Few statesmen now can venture to be brilliant. If Edmund Burke, himself, with his profusion of metaphors, elaborate, intricate and subtle, could re-appear in parliament, he would not be a success. Men would not stop to scan the deep philosophy, research and wisdom at the bottom of his figures, and would, probably, pronounce him, the most original and prophetic thinker of the century—bombastic and superficial. This is the consolation of musty prosers and obtuse intellects. Stupidity, as solemn and as useless as a China mandarin on the mantle, will look grave and shake its head over the most splendid effusions of cultured fancy; and the merest truisms and common place are preferred to beautiful thoughts, lit up by the fire of genius, and the tinted hues of a poetic imagination. It was upon this rock that Mr. Mead was shipwrecked. His speeches in the Legislature and in the Convention of 1817, always produced a sensation, yet seldom carried conviction, and most frequently he voted in the minority. He scattered gems until the circle around him grew brilliant and dazzling, but, like phosphorescent fires, his eloquence left no impression; the argument and the impression died away with the melody of his tones.

Mr. Mead was an ardent Republican; he had many warm friends, and on the retirement of George Poindexter, he was a candidate for Congress, and would, probably, have been elected, but for one fatal error. In 1812-'13, while he was at Baton Rouge, with the commission of colonel in a regiment of volunteers, commanded by General Claiborne, and expecting orders for the frontier, he was induced, by political friends to throw up his commission and return home to can-

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vass for Congress.* This gave his political enemies, who were numerous, violent and influential, their opportunity. Presenting no candidate from their own number, they contrived to bring out Christopher Rankin, a young lawyer of Amite, a republican of calm and moderate temper, with no enemies, and a sensible and logical speaker. He was elected by a decisive majority. Mr. Mead incurred this martyrdom for his party against his own inclination and judgment. Subsequently he was often elected to the Legislature; usually voted into the Chair and presided gracefully and with marked ability.† He resided, in his latter years, near Clinton, Mississippi, and died universally esteemed, an exemplary member of the Presbyterian church.

1806. An undefined apprehension of impending danger pervaded the Territory. No one knew in what form it would come, or from what quarter, but rumor trod on rumor, and "the airy shapes that syllable men's names" swarmed in the atmosphere. At length the news came distinctly and specifically, from many and respectable sources, with affidavits and solemn warnings, that Colonel Aaron Burr was descending the river, from the Ohio and Cumberland, with a flotilla of boats, and from one to two thousand armed men. Dismemberment of the Union, the seizure of New Orleans and the conquest of Mexico, were the objects imputed to him; and many persons believed, and some did not scruple to say, that General James Wilkinson, though ostensibly making preparations to oppose him, was really a party to the plot. They condemned the concentration of his forces in New Orleans, a position difficult of defence, and with a population whose fidelity to the United States had not been tested, and in which the French and Spanish element predominated. The suspicion of this defection greatly increased the general alarm. In this suspicion of Wilkinson Governor Mead strongly participated, and he warned Governor Claiborne, who was cordially co-operating with General Wilkinson for the defense of the city, to be on his guard

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*Poindexter, was then canvassing for Governor, and in a letter from Winchester, Wayne county, he says: "Mead has injured himself by coming out here *in a carriage*. It is regarded as too extravagant. I fear he will be defeated."

†I recollect, on one occasion, (long after Mr. Mead had retired to private life) the House of Representatives of Mississippi, and the Chair, had got into a state of confusion, thoroughly befogged and at a stand still, on some intricate point of order. Seeing General Mead in the lobby, I (then representing the city of Natchez and county of Adams) took occasion to pronounce a eulogy on his public services, on his distinguished career as Speaker, and his great familiarity with parliamentary law, and concluded by moving that he be requested to address the House on the point of order. The Chair very gracefully joined in the suggestion. The motion was adopted by acclamation. The old General was escorted to a place by the Speaker, and, in a luminous speech of fifteen minutes, put everything right.

In 1808, in a debate in the General Assembly of the Mississippi Territory on the power of the Governor to prorogue that body, Mr. Poindexter, then the delegate to Congress, being present, was called on, by unanimous consent, for information in regard to the opinions of the President on this point, which he communicated at some length.—*Natchez Chronicle, October 5th*, 1808.

In the Convention that assembled to form a constitution for the State of Franklin, the Rev. Samuel Houston presented a draft of a constitution, and the same having been read, it was moved that the Rev. Hezekiah Balch, a Presbyterian minister, then in the lobby, be invited to address the Convention on the merits of the paper submitted. Mr. Balch came forward and animadverted severely on the plan submitted, and it was rejected.—*Ramsay's History of Tennessee, p.* 323.

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against the American general. The old, and, as we have seen, groundless, scandal about the Sabine expedition was still credited in Mississippi, the documentary proofs which our readers have the benefit of, not having, at that time, been submitted to the public.

At this day, when we know how feeble the force was with which Colonel Burr descended the river, the alarm that pervaded the country seems unaccountable and even ludicrous. But it was then a remote settlement, and had been the scene of frequent insurrections and political changes. It was encompassed by warlike tribes of savages; was not too distant from the Spaniards for invasions, and scarcely any communication with other portions of the United States, a thoroughly isolated people, but true to every American instinct and tradition.

1807. Early in January, of the coldest winter ever known here, Colonel Burr, with nine boats, arrived at the mouth of Bayou Pierre, and tied up on the western or Louisiana shore. He crossed over to the residence of Judge Bruin, (whom he had known in the revolutionary war) and there learned, for the first time, that the Territorial authorities would oppose his descent, though his landing on the Louisiana side would seem to indicate that he apprehended some opposition. He immediately wrote to Governor Mead, disavowing hostile intentions towards the Territory or the country; that he was *en route* to the Ouachitta to colonize his lands, and that any attempt to obstruct him would be illegal and might provoke civil war.

This communication rather increased than removed Governor Mead's suspicions, and he addressed the senior officer of the district, as follows:

EXECUTIVE OFFICE,
Washington, M. T., 8 P. M.

Colonel F. L. Claiborne:

Business of the first importance requires your presence at headquarters. Repair here at midnight. Let not suspicion even conjecture where you are bound. The fate of the country may depend on my movement.

Very respectfully, etc.,

COWLES MEAD.

A more alarming summons was, probably, never addressed to a military man. Governor Mead evidently believed when he sent this dispatch that Colonel Burr had arrived at Bayou Pierre with his advance guard, and that he had behind him a formidable force. On the 14th January, he very clearly indicated his opinion, in the following orders:

EXECUTIVE OFFICE, January 14th, 1807.

Colonel F. L. Claiborne, Natchez:

More rumors tell us that Burr is reinforcing at Bayou Pierre. My solicitude will induce me to repair there forthwith. You will, therefore, send to Greenville,* by pack horses or carts, one thousand pounds of powder, and as much lead as you can spare. To-morrow, at daybreak, I shall leave here with Farrar's dragoons. I have issued orders to the militia of Jefferson and Claiborne counties to rendezvous at their respective places of parade, at which I shall be present on my way to Bayou Pierre. The militia of this county you will order to rendezvous at some point selected by yourself, to await further orders. I am, etc., etc.,

COWLES MEAD.

*The then seat of justice of Jefferson county.

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EXECUTIVE OFFICE, January 14th, 3 P. M.

Colonel F. L. Claiborne, Natchez:

In reply to your request to march at once, I think it imprudent until I am better informed of the views and strength of Burr. I dispatched an express to Colonel Fitzpatrick (commanding Jefferson county regiment) yesterday evening, who would reach that officer last night. Major Bowman left headquarters this morning for Bayou Pierre, with all the orders and powers he may deem proper to employ. I wish you to collect and organize the 1st regiment and attend strictly to their discipline. Should Burr establish himself at Bayou Pierre in force, we shall require the Wilkinson county militia. You will postpone your march until I am informed from above; but, at the same time, continue to call out and equip every man of your regiment who can shoulder a fire-lock. I shall detain Captain Abrams an hour or two. Am anxious to hear from above before I move.

I am, etc., etc., COWLES MEAD.

On the 15th, Governor Mead and staff arrived at Greenville, and thence repaired to the mouth of Cole's creek where Colonel Fitzpatrick and Fleharty were stationed, it having been determined to guard the river and intercept Burr's flotilla at that point.*

Here Governor Mead addressed the troops, and dispatched his aids, Hon. George Poindexter and Hon. Wm. B. Shields, to interview Colonel Burr. They were accompanied by Colonel Fitzpatrick. On the 16th, they reached the bank opposite the boats, and in response to their signal, a skiff was sent over for them. They were received by Colonel Burr, to whom Major Shields presented a letter from Governor Mead. Colonel Burr, in a sneering tone, ridiculed the suspicion of his entertaining views hostile to the country; declared that he should have proceeded directly to Natchez, to call on the Governor, but for the information received at Bayou Pierre, and the fear of assassination; denounced General Wilkinson as a traitor and scoundrel, making use of these words: "If I am sacrificed, my portfolio will prove him a villain."

At this moment, the conversation was interrupted by an attempt of Lieutenant Patterson, of the Claiborne county militia, to seize three of Burr's boats. The lieutenant, who had been reconnoitering several days, had anchored his yawl behind a willow point, which concealed it from observation. Perceiving that the majority of Burr's men had left their boats and were strolling about in the woods, he landed with twenty well armed men, intending to seize the boats lying tied to the shore. Noticing this movement, Davis Floyd, a

*In addition to these military preparations Governor Wilkinson had induced Commodore Shaw, in command of the naval forces at New Orleans, to concentrate the most of his vessels at Natchez, to oppose the tremendous flotilla reported to be coming down the river.

FROM THE NATCHEZ HERALD.

The following armed vessels are now anchored in the Mississippi, opposite this city:

Schooner Revenge, 12 guns, Captain Reed, flag vessel, Commodore Shaw.
Ketch Etna, 14 guns, Captain Jones.
Ketch Vesuvius, 14 guns, Captain Leonard.
Gun Boat, No. 11, 2 guns, Captain Dexter.
Gun Boat, No. 12, 2 guns, Captain Bainbridge.
Gun Boat, No. 13, 2 guns, Captain Alexis.
Gun Boat, No. 14, 2 guns, Captain Patterson.
Gun Barge Victory, 2 guns, Captain Henly.

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bold and daring man, approached Colonel Burr, who was conversing with the commissioners, and asked permission to fire on Patterson. Colonel Burr called on Colonel Fitzpatrick to interpose, and the lieutenant was ordered to fall back to Cole's creek,

Resuming the conversation, Burr pointed to his boats, and asked if there was anything military in their appearance. The commissioners replied that the men did not look like agriculturists; that they looked like the right sort of men for a military enterprise. He was then distinctly notified that the Mississippi troops had been assembled with orders to oppose his advance. He replied that he was willing to submit to the civil authorities, and proposed an interview with Governor Mead, next day, at some convenient point; that the commissioners should guarantee his personal safety and return him to his boats, if the governor should not accept his terms; that his boats and men should hold the position they then occupied until the proposed conference was over, and that in the meantime they should not be molested, nor should any breach of the peace, on either side, be committed. The proposition was accepted, and the home of Thomas Calvit, near the mouth of Cole's creek, where Colonel Claiborne, in command of the military, was stationed, was designated for the interview. The commissioners then took leave, much impressed by the *nonchalance*, grace, suavity and talent of this extraordinary man.

In pursuance of this agreement, next morning Colonel Burr, attended by Colonel Fitzpatrick, descended to the mouth of Cole's creek, whence he was escorted by Captain Davidson's Jefferson dragoons to Mr. Calvit's. Governor Mead had arrived the previous evening, and had there received the following note:

CAMP MOUTH COLE'S CREEK, January 17th.

SIR: Our last advices from Bayou Pierre induce us to believe that Colonel Burr's object is delay. The officers of the corps now here unanimously join me in declaring our ability to carry out all orders, and in praying you to accept no terms but unconditional surrender.

Respectfully, F. L. CLAIBORNE,
Colonel Commanding.

On the arrival of Colonel Burr, Governor Mead immediately proposed:

1. That the agreement entered into should be annulled.
2. That Burr should surrender unconditionally to the civil authority, and be conducted forthwith to the town of Washington, the seat of government of the Territory.
3. That his boats should be searched, and all arms and munitions of war found therein, be seized and submitted to the disposition of the government.*

*At Burr's trial, Jacob Dunbaugh, a sergeant in the United States Army, who had obtained a furlough from his commanding officer at Fort Massac, and come down with Colonel Burr, swore that on the night the boats left Petit Gulf, he saw a man named Wylie pass into the stern of Colonel Burr's own boat with an augur and hand-axe, and that shortly afterwards he saw several bundles of muskets lowered into the river by cords, through a hole made in the gunwale of the boat.

It is proper to add that Dunbaugh seems to have been a swift or willing witness.

Colonel Fitzpatrick and officers searched the boats, and reported no more arms than would be needed in making a new settlement. *Per contra*, we give an

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To these terms Governor Mead required an unequivocal answer in fifteen minutes, with the understanding that if Burr declined them, he should be forthwith returned to his boats, and the military would then be ordered to capture him and his party.

The terms were accepted, Colonel Burr, however, protesting against being suffered, in any way, to fall into the hands of General Wilkinson. He received satisfactory assurances on this point, and immediately set out for the town of Washington, escorted by Majors Shields and Poindexter.†

The surrender of Colonel Burr to the civil authorities did not restore the tranquility anticipated. A number of his followers, as ignorant of his designs as the rest of the community, dispersed themselves through the Territory, each giving his own version of the expedition. Among our citizens there was much diversity of opinion. Many were fascinated by the proud demeanor and courtly manners of Colonel Burr. Some regarded him as the victim of the President's jealousy and revenge. Some, in the spirit of party, vindicated because Jefferson accused him. A few there were, the vultures of society, who boldly eulogized him, and demanded his immediate discharge, because they hoped to share in what they believed to be his schemes of rapine and plunder.

Colonel Burr presented himself to Judge Rodney and gave his recognizance in the sum of $5,000, with Col. Benijah Osmun and Lyman Harding, Esq., as securities, for his appearance at a called session of the Superior Court, to be held on the 2d February. His boats were brought to Natchez, and the men discharged on parole.

George Poindexter, attorney-general, in reply to certain interrogatories of Governor Mead, responded as follows:

"Two modes of proceeding present themselves to me. 1. Suspension of the trial till the next circuit court for this county. 2. Transportation of the accused to the city of Washington for trial before the Supreme Court, or some district court of the United States. And here it would be well to consider the third article of the Constitution of the United States entire, before any measure is taken. I am of opinion that the Supreme Court, established by the Legislature of this Territory, has not the power to try Aaron Burr for treason, or misprison of treason. That court is the creature of a Teritorial statute, and can have no other jurisdiction than is expressly conceded by the letter of

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abstract of the deposition of Lemuel Henry, member of the Territorial Legislature from the county of Washington:

"On the Sunday before Burr made his escape, and after his boats had been searched, and the report made that no arms had been found, a certain Robert A. New, who appeared to be very intimate with him, and lodged in the same room, called on me and offered to sell some forty or fifty muskets and bayonets. He offered them at one-third of their value, and gave as a reason that the owners had no further use for them. Knowing that there had been a search for arms and an official report that none had been found, I enquired of Mr. New how and where they were to be got? He said that they would not be delivered to me, but should be deposited where I could get them. I declined the offer."

†FROM GEORGE POINDEXTER TO COWLES MEAD, DATED WASHINGTON CITY, OCTOBER 27TH, 1807.

"Burr is acquitted of treason and held to bail for misdemeanor, to be tried in Ohio; also Blennerhasset. The rest of the traitors are discharged. In the course of my evidence I mentioned that the convention entered into at Bayou Pierre between Burr, Major Shields and myself, had been made void, by consent, in the conference at Calvit's. Colonel Burr peremptorily *denied* this in open court."

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the law. The act of Congress extending federal jurisdiction to the *Superior* courts of the Mississippi Territory, was made at a time when that was the style of our highest courts, and therefore could not have contemplated any other description of courts subsequently established for our own convenience. Again the Supreme Court has no original jurisdiction, either criminal or civil, except in Chancery, and all criminal jurisdiction in and over the Territory is exclusively vested in the circuit courts of Adams, Wilkinson, Jefferson and Claiborne counties, and the District or Superior Court of Washington county—these courts having been substituted in the room of the former Superior Courts, and being exclusively possessed of criminal jurisdiction, making it clear that they alone can exercise the federal jurisdiction given by the act of Congress. As to the construction of Colonel Burr's letter, threatening civil war in a certain contingency, it cannot operate as the basis of a prosecution, but might come in in aid of stronger proof."

In the meantime all sorts of rumors were agitating the community. Henry Turner, then postmaster of Natchez, exhibited a letter from the postmaster of Nashville, stating positively that two thousand of Burr's recruits were on the river. Governor Mead received the following dispatch:

PETIT GULF, January 20, 1807.

SIR—To-day Capt. W. Calvin, from Pittsburg, informs me on oath that twelve boats of Burr's are in two day's run of this place, loaded with arms, ammunition and supplies. When I heard your speech at Cole's Creek all my doubts as to the military character of the expedition were removed, and I am satisfied that the boats now here only wait the arrival of the others. Your Excellency will, I hope, cause these boats to be removed lower down.

I have the honor, etc.,

I. L. PATTERSON, Lieut.

By order of Major Fleharty.

On the same day Governor Mead addressed the following to Col. F. L. Claiborne:

"Having heard that the house of Mr. Callender is made the receptacle of discontent, and finding a restlessness prevalent with certain characters, I advise you hereof, and authorize you to increase the guard if you deem it necessary. Be vigilant. Direct Mr. Snider to supply the men at Fort Dearborn with rations for one week."

The excitement still increasing the Governor deemed it his duty to resort to very strong measures, as the following order will show:

EXECUTIVE OFFICE, M. T., January 22.

Col. F. L. Claiborne, First Regiment M. M.:

SIR—Finding that some mischievous persons are about Natchez, who evince a hostile feeling to the government, and great partiality for the man now in custody of the law, I deem it my duty to order you to apprehend every person of this description, and send them before a civil officer, when, if a charge can be subtantiated by affidavit, you will send them here to Judge Rodney, under guard or otherwise. You will aid, on all occasions, the civil authority in keeping the peace and maintaining respect to the laws. The number of Burr's friends demands the utmost vigilance and their licentiousness must be curbed.

COWLES MEAD.

Under this order several arrests were made, and the parties put under bond, but no further proceeding was had. Most of his followers were young men, innocent of any hostile intent against government, ignorant of the object of their leader, whom they followed from the mere love of adventure. They dispersed themselves through the Territory, and supplied it with school masters, singing masters, dancing masters, clerks, tavern keepers and doctors.

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About this time Blannerhasset and Comfort Tyler, a noted adherent of Colonel Burr, arrived at Natchez.*

Colonel Burr was the recipient of much attention from a few wealthy citizens, and Governor Mead and the President were bitterly denounced, but the great body of the Territory warmly approved their course.

The Mississippi Messenger of February 10th, 1807, published at Natchez, by Samuel Terrell, gives the following summary:

On Monday the 2d inst, an adjourned session of the Supreme Court of the Mississippi Territory was held in the town of Washington, to which Aaron Burr was recognized to appear and answer such bill of indictment as might then and there be exhibited against him. Col. Burr appeared on the day mentioned in his recognizance, attended by his counsel, William B. Shields and Lyman Harding, Esqrs. Agreeable to a *venire facias* issued by the Hon. Thomas Rodney and Peter B. Bruin, a jury of seventy-two freeholders appeared in court, and on the day followlng twenty-three of their number were selected by the Court as a grand inquest. The Hon. Thomas Rodney then delivered to them a comprehensive and impressive charge, and the Court was adjourned till ten o'clock the succeeding day, at which time Mr. Poindexter, the Attorney-General, moved the Court to discharge the Grand Jury. He stated that after examining the depositions submitted to him by the Court, he did not discover any testimony which brought the offences charged against Colonel Burr, within the jurisdiction of the Courts of the Mississippi Territory; that the Supreme Court of the Mississippi Territory was not a Court of original jurisdiction, either criminal or civil, and could take cognizance only of points reserved at the trial in the respective Circuit Courts, where all criminal prosecutions must originate, according to the statutes of the Territory. He further observed that in order to secure the public safety, the Territorial Judges ought immediately to convey the accused to a tribunal competent to try and punish him, (if guilty of the charges alleged against him) which they might legally do, and thereby effectually prevent the contemplated military expedition against Mexico, and maintain inviolate the laws and Constitution of the United States. He therefore hoped that inasmuch as the attorney prosecuting for the United States had no bills for the consideration of the Grand Jury, that they would be discharged.

Colonel Burr made several observations against the motion, and remarked, that if the Attorney-General had no business for the Grand Jury, *he had*, and that therefore they ought not to be dismissed. On this motion the Court was divided. Judge Bruin declared himself opposed to discharging the Grand Jury, unless Colonel Burr was also instantly discharged from his recognizance.

The Attorney-General then withdrew, and the Grand Jury were directed to retire to their room, who in the course of the day returned with sundry presentments, which are given at large in this day's Messenger. We deem it unnecessary to remark that these presentments were not founded on any bill exhib-

*Blennerhasset was sent to Richmond, but ultimately discharged. Gathering the wreck of his fortune he returned to Mississippi, and purchased a plantation near Port Gibson, (since owned by Dr. Thomas Gale, and Samuel and John Coburn,) which he called "La Cache." While residing there he, and his eldest son, Dominic, were indicted, in 1819, and tried in the Superior Court of Claiborne county for an aggravated and atrocious assault on John Hays, and found guilty and fined $1,000. They appealed to the Supreme Court for a new trial but the judgment of the court below was sustained. Blennerhasset and wife were certainly people of culture, but not particularly refined in manner or appearance. Some other lady must have sat for Wirt's portrait of Mrs. Blennerhasset, or he drew his inspiration from Burke's beautiful description of Marie Antoinette. In 1819, Blennerhasset removed to Montreal; thence to Ireland to recover some ancestral property; thence to the island of Guernsey, where he died in 1831. In 1823, while his family were residing in Montreal, his eldest son, Dominic, disappeared and was never afterwards heard of. His second son died in New York in 1854, and his third son, died in Lincoln county, Missouri, in 1862. Mrs. Blennerhasset, after the death of her husband, returned to the United States and died in New York in 1842. Her remains were deposited in the family tomb of her countryman, Thomas A. Emmett, the eminent lawyer.

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ited to the Grand Jury, and that being negative, they met no further attention than a mere perusal.

On Wednesday evening the Grand Jury were discharged, and Colonel Burr demanded a release from his recognizance—this the Court refused. He did not appear in Court on Thursday morning, as was expected, and in a day or two, it was reduced to a certainty, that he had made his escape.

AT A SUPREME COURT, HELD FOR THE MISSISSIPPI TERRITORY, AT THE TOWN OF WASHINGTON, ON TUESDAY, THE 3D OF FEBRUARY, 1807.

The Grand Jury of the Mississippi Territory, on a due investigation of the evidence brought before them, are of opinion that Aaron Burr has not been guilty of any crime or misdemeanor against the laws of the United States or of this their Territory, or given any just occasion for alarm or inquietude to the good people of this Territory.

The Grand Jury present as a grievance, the late military expedition, unnecessarily as they conceive, fitted out against the person and property of said Aaron Burr, where no resistance had been made to the ordinary civil authority.

The Grand Jury also present as highly derogatory to the dignity of this government, the armistice (so-called) concluded between the Secretary, acting as Governor, and the said Aaron Burr.

The Grand Jury also present as a grievance, destructive of personal liberty, the late military arrests made without warrant, and as they conceive, without other lawful authority: and they do seriously regret that so much cause should be given to the enemies of our glorious Constitution, to rejoice in such measures being adopted in a neighboring Territory, as if sanctioned by the Executive of our country, must sap the vitals of our political existence, and crumble this glorious fabric in the dust.

The Grand Jury was a very respectable body, but their action was purely partisan, and they received a severe rebuke from the presiding judge, the venerable Rodney.

Governor Williams (who returned about this time from North Carolina,) issued the following proclamation:

WHEREAS, Aaron Burr, Esq., late Vice-President of the United States, was bound in recognizance to appear at the Supreme Court of this Territory himself, in the sum of five thousand dollars, and two securities in the sum of two thousand five hundred dollars each, "to answer any bills of indictment that might be found against him, and to continue to appear, from day to day, until dismissed by the said court," which he had failed to comply with, and, as it appears, has made his escape:

I DO, THEREFORE, issue this, my proclamation, for apprehending the said Aaron Burr, Esq., and by the powers and authorities which I possess, will pay or cause to be paid, to any person or persons who will take the person of said Aaron Burr, and cause him to be delivered to me at this place, or to the President of the United States, the sum of two thousand dollars.

Given under my hand at the town of Washington, this 6th day of February, 1807. ROBERT WILLIAMS.

The following letter, in vindication of acting Governor Mead, appeared in the Messenger. The writer, a distinguished member of the bar, it will be remembered was one of the commissioners who entered into the armistice with Burr, and had likewise appeared as one of his counsel, intending to plead to the jurisdiction of the court:

WASHINGTON, February 26, 1807.

To the Editor of the Messenger:

The presentment of the Grand Jury, empanneled at the extra session of the Supreme Court of this Territory, which appeared in the Messenger of the 10th instant, will no doubt be the subject of speculation, and perhaps ot invidious animadversion abroad as well as at home. How far the Grand Jury acted within the pale of their jurisdiction, in reprehending the acts of the Executive

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of this Territory, in the manner they did, even had they merited reprehension, is a point which is foreign to the purpose of this communication. One general remark may be proper. It is true that presentments by Grand Juries have become too common in our country; that they embrace matters entirely of a negative nature; complain of grievances which cannot be legally adjudicated, and which do not come within the control of a Grand Jury, or of the authorities to whom they are exhibited. These might be subjects of inquiry for a higher tribunal.

The object of this publication is to do away any undue impressions that may have obtained by reason of the presentment referred to, with regard to the conduct of the Executive of this Territory, and the agents whom he had employed to effect a peaceable surrender of Colonel Burr to the civil authority of our country. As one of these agents, I hold it to be a duty which I owe to the public, (and to the characters implicated) as well as to myself, to make such a representation of this affair as will enable them to form their own opinions, and to judge for themselves. In doing this, it is far from being my intention to cast any reflection upon the Grand Jury, or to offer the least indignity to them individually, or as a constitutional body. It is because of the respectability of that Grand Jury, the important occasion for which they had been summoned, and the extraordinary vocation to which they were called, that I have deemed this measure the more necessary. It is a measure of self-defence. By how much the more respectable and influential the authority is which charges an individual with having done wrong, by so much the more does it behoove the individual to justify his conduct, and the more especially if it be on a subject of public concern.

When the presentment was handed to the court, and it was found to represent the military expedition against the person and property of Aaron Burr, as a grievance; and the agreement concluded between our Executive and the said Aaron Burr, as highly derogatory to the dignity of our Government, I prayed the court, if they allowed the presentment to be read, that they would suffer it to be made the subject of animadversion, before the Grand Jury were discharged. I stated that I was enabled to show satisfactorily, the propriety, if not necessity of the measure complained of; that it was calculated to save the effusion of human blood, and that such probably had been the effect;* of this I wished to persuade the Grand Jury in their official capacity. The court replied to the Grand Jury, that "the Executive government here, with respect to the military arrangements presented, had acted in obedience to the express orders of the general government, to whom the constitution has confided the supreme guardianship and protection of the country, and therefore there was a particular impropriety in censuring their conduct." The clerk was then directed to read that part of the presentment only which went to the acquittal of Colonel Burr. It was my wish to have informed the Grand Jury, that in our conference with Colonel Burr, he unhesitatingly expressed a temper voluntarily to submit his conduct to judicial inquiry, that he appeared solicitous to embrace the first safe occasion to do so, and in fact had the day before made arrangements with Colonel Fitzpatrick, of the 2d regiment, to that effect, having received assurances of protection to his person and property from that gentleman, while on his way to see our Executive, and to undergo the much desired investigation. Let it be recollected that this while Colonel Burr was without our jurisdiction, and not amenable in any manner to the process of our courts. He told us that his reason for leaving the mouth of Bayou Pierre, and anchoring on the western side of the Mississippi, was because of his having been informed that a body of our citizens, unauthorized, were marching with a determination to arrest him and his boats—insinuated that from accounts he was liable to be treated as an outlaw in our Territory, and from these considerations

*During our conference with Colonel Burr, frequent alarms were made to him of a boat approaching his quarters. It was brought to by Colonel Fitzpatrick, and ordered to return to the mouth of Cole's Creek. There were twenty men well armed. I was informed by the commanding officer that they had been hovering about Colonel Burr's camp for four hours, had ascertained his situation and that they had with one consent agreed to ambuscade and cut off some of his party on the beach, if possible. They would have made the attempt in one hour but for our arrival. The orders were in writing and peremptory.

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was desirous of being protected pending his visit to our Executive, and that the law, to whose authority he meant to bow, should be administered unto him as to another citizen of the United States. Incorrect as Colonel Burr's information was, as respected the designs of our citizens against him, it was evident that his fears were not a little excited, and that he believed his person would be insecure in our Territory, without a pledge of protection from some officer of the government. We believed Colonel Burr to be sincere; we knew that he was alarmed at the military preparations which he had caused, and which were directed exclusively against him, and his associates; we knew, too, that from his almost defenseless situation that he could do us little harm. Therefore, we did not hesitate a moment to guarantee his personal safety in the meantime. The agreement was executed in a few minutes. We thought it of no importance whether this paper wore a technical shape or not. It was understood among us to be a memorandum but for a day. So soon as the anticipated interview terminated, it became a dead letter. It was proposed to have this interview at Washington—so it would have been. The circumstance of our principal military force being then assembled at the mouth of Cole's Creek, on their way to attack Colonel Burr's boats, induced us to appoint that as the most eligible place for many reasons, particularly as it might be important for the commander-in-chief, in any event, immediately to see the troops in person who had so promptly and patriotically obeyed their country's call, to encounter a force by report much superior indeed to what it was actually found to be. Every citizen in this country will recollect the various and exaggerated accounts of Colonel Burr's force and military situation, both on his approach and after his arrival in our Territory. The very day before Mr. Poindexter and I left Washington, the Executive was advised by a gentleman then from the vicinity of Colonel Burr's encampment, that his force amounted to four hundred men armed—previous tales had given a greater number. Our troops had embarked from Natchez the evening before.

To ascertain the real situation of Colonel Burr, to acquire information of his views and determinations, and to assure him that if he did not quietly surrender to the constituted authorities, an effort would instantly be made to compel him to do so, was the object of our mission. It was thought advisable that all this should be done, if possible, before the nearer approach of our troops to Colonel Burr's boats.

How far the object of our mission was effected, the public know. The day after his arrival in the Territory, Colonel Burr submitted his conduct to investigation, and his boats to examination. How far the procedure comported with the dignity and peace of our Territory, the result must evidence. Colonel Burr's plans are completely and finally deranged. How far the military arrangements and expedition were warranted or proper, our Executive and the general government can justify.

I am not disposed to be the eulogist of any man. Mr. Mead's conduct needs not my approbation or countenance. As one of the officers then in his confidence, I will, however, take the liberty of speaking what I saw and believed—that in all his military operations and management while exercising the functions of Governor, he acted with a single eye to the honor and safety of our Territory. The spirit and promptitude which he displayed on the two late occasions, in my opinion, merited, as I have reason to believe, it gained him the thanks of his country.

Circumstances prevented me from handing this communication earlier. You will oblige me by giving it a place in your next paper.

W. B. SHIELDS.

When Colonel Burr was released under his recognizance to appear before the Supreme Court of the Territory, he became the guest of Col. Benajah Osmun, a wealthy planter residing in the vicinity. He was a bachelor, had been an officer in the New Jersey line, and intimate with Burr. In politics he was a high-strung federalist, had been a strong partisan of John Adams, and had no confidence in Mr. Jefferson. Near by Colonel Osmun, resided another old military friend of similar political opinions, the veteran Maj. Isaac Guion, and with these two, and other influential gentlemen, he had daily consulta-

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tions. No sterner and truer patriots lived than these two veteran soldiers, and they reposed unshaken faith in the friend whom they had seen so often tested in the "time that tried men's souls."*

*Colonel Osmun lived at the place now owned by Dr. Stanton, and Major Guion resided at the foot of the Half-Way Hill, and there was a rural path between the two places trellised with vines and shaded by evergreens. This was Burr's daily resort. But its refreshing shade and charming prospect were not the only attractions. There lived, at that time, near the summit of the hill, in a little vine covered cottage, a widow lady from Virginia, whose small farm and two or three slaves were the only remains of a large fortune. Her husband had converted his property into money, and on his way to this Territory had been robbed and murdered by the notorious Joseph Thompson Hare, a more blood-thirsty villain even than the celebrated Mason. She had but one child, Madeline, who must still be remembered by a few of our older citizens as a miracle of beauty. In form and feature, in grace and modesty, she was all that the old masters have pictured the divine Madonna, or that artist ever dreamed of maiden loveliness. Those that saw her loved her, yet she was never conscious of the sentiment until she listened to *Aaron Burr*. The family were Catholics, and there Colonel Burr went to meet, by appointment, one of his numerous agents and correspondents, the Abbe Viel, a Jesuit Priest, of remarkable ability. He was born in New Orleans, in 1746, studied at Paris, and became a member of the Congregation of the Oratory. At the dissolution of that body by the French government, he returned to Louisiana, and exercised the priestly function in the parish of Attakapas. He subsequently returned to France. It is probable that Colonel Burr, in his projected invasion of Mexico, contemplated securing the influence of the religious orders, and for this purpose had opened a correspondence with the Abbe, and met him by appointment at this secluded homestead. I find among the papers of Colonel Burr, (left at Colonel Osmun's,) several pages of a hexameter version of Telemachus, in the handwriting of the Abbe, in Latin, two editions of which were published in Paris; and the following fragment, which seems to imply that the writer had resided at least ten years in America:

"At me jamdudum defunctum finibus Indis,
Semiferina inter Carribum commercia voces,
Dedoctum Latios, et barbara verba Sonantem,
Suadel amor, quassam cursu, revocare phaselum
Tybridis ad repas; ubi, post duo lustra reversus,
Dulcibus expector, vix agnoscendus amicis,
Fascis crine senem, jam me gratissimus omnis
Accipit averso labentem gurgite, nosca
Réptatam geminis a fundatoribus oram,
Altricisque lupæ caveam; gradiorque sub umbra
Heliaclum, quas digrendiers arbusta relique."

At length, after canvassing his situation with Colonel Osmun, and six other confidential friends, Colonel Burr determined to forfeit his bond. One stormy night in February, 1807, he set forth mounted on the favorite horse of his host. Urgent as was the necessity for expedition, Colonel Burr halted till daylight at the widow's cottage, imploring the beautiful Madeline to be the companion of his flight. He promised marriage, fortune, high position, and even hinted at imperial honors, not realizing, even then, a fugitive and branded traitor, the crushing downfall that impended over him. The maiden had given him her heart; she had listened to his witchery night after night, and loved him with all the fervor of a Southern nature. She would have followed him to the end of the earth, and to the scaffold, and her aged mother would freely have given her to this most captivating man—for they looked on him as a demi-god—but as with most of our Southern women, the principles of religion, virtue and propriety were stronger than prepossession and passion, and the entreaties of the accomplished libertine were firmly rejected. Baffled and disappointed he was compelled to proceed, but promised to return, and carried with him the covenant and pledge of the beautiful Madeline. She was wooed by many a lover. The young and gallant masters of the large plantations on Second Creek and St. Catherine's, strove in vain for her hand. Fortunes and the homage of devoted hearts were laid at her feet; but the Maid of the Half-Way Hill remained true to her absent lover; the more so because of the rumors that reached her of his misfortunes and his guilt. She lived on the recollection of his manly beauty, and the shades he had most affected were her constant haunts. At length, when he fled from the United States, pursued by Mr. Jefferson and the remorseless agents that swarm around power and authority—when he had been driven from England, and was an outcast in Paris, shivering

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The rumor became prevalent that Governor Williams meant to seize Colonel Burr, in the event of his discharge by the court, and send him either to the President or to General Wilkinson. This was no doubt unfounded, but it had its weight in determining him to escape.

While Colonel Burr was at the town of Washington, he spoke freely, apparently frankly, to many gentlemen, and wore the air of a persecuted man. The Legislature was in session, and he particularly cultivated an intimacy with the members from Washington county, on the Mobile river. He learned from Lemuel Henry, one of the delegates, that, if he had repaired to that quarter, and satisfied the people that his enterprise was to be directed exclusively against the Spaniards, he could have obtained volunteers enough to capture Mobile, where he would have found arms, ammunition, money and shipping. Mr. Henry dwelt upon the grievous exactions imposed on his constituents by the Spanish authorities, of Mobile, Alabama. Burr remarked, that, he had seen, with regret, the memorial of the inhabitants of that part of the country treated by congress with contempt; that he was surprised they had not made a concerted effort to release themselves; that government having neglected them it was their natural right to erect a government for themselves, or take protection under one that promised their liberation.

This conversation, no doubt, influenced the direction of Burr's flight. His companion was Chester Ashley, who joined him at the ford of Second Creek, on the Liberty road. The circumstances of his arrest, about the last of February, near Fort Stoddart, on the Mobile river, are given in detail in the following letter written from Fort Stoddart:

DEAR SIR—When I came home I found that Mr. Burr had been taken here. The mode in which he was detected was somewhat singular. He and Ashley, when they first came into the settlement, inquired for Colonel Caller, to whom they had letters of introduction, and who it is very probable Mr. Burr thought he could impose upon by the pretence of his coming to relieve them from Spanish oppression, as Colonel C. himself was making an effort last year to raise the militia and go down and take possession of Mobile, where duties are still ex-

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with cold and starving for bread—he seems to have felt, for the first time, the utter hopelessness of his fortunes. And then he wrote to Madeline, and, in a few formal words, released her from her promise. Stating that he would never return to the United States, he advised her to enter a convent, should she survive her mother. A year or two after this, she went to Havana with Mrs. W., a highly respectable lady, who then owned the property where the Christian Brothers now reside, near Natchez. Her extreme beauty, her grace and elegance, produced the greatest enthusiasm. The hotel where they put up was besieged. If she appeared on the balcony a dozen cavaliers were waiting to salute her. When her *volante* was seen on the *Pasco* or the *Plaza de Armas*, it was escorted by the Grandees of the Island. She was feted by the Governor-General; serenades and balls followed in rapid succession, and the daily homage to her beauty never ceased until the evening bells sounded the *Angelus*.

Without surrendering her heart, or being carried away by this universal admiration, she returned to the cottage on the Hall-Way Hill. She was followed there by Mr. K., an English gentleman, the head of the largest commercial house in Havana, and to him, on his second visit, she gave her hand.

The vine-covered cottage, its trellises and borders, have crumbled into dust. The courtly lover and the innocent maiden are long since dead. But the old hill still lifts its aged brow, wrinkled all over with traditions. A favorite lookout of the Natchez in time of war—the scene of a daring conspiracy against the Spanish authority—the rendezvous of lovers—the hiding place of brigands, and a depot for their blood-stained treasure—mute, but faithful witness of the past!

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acted to the amount of twelve per cent. on all our exports and imports, so that our cotton lies on hand, whilst corn, which we want to import, is so scarce that the only man who has any for sale asks five dollars a bushel for it. Mr. B. and his companion, however, could not get to Colonel C.'s on account of high water. They, therefore, proceeded down the road and passed the little village called Wakefield, where the court house stands, about eleven o'clock at night.

There being a light in Mr. Perkins' house, they stopped to inquire the way to Major Hinton's. Their appearance struck Mr. Perkins very much. Mr. Burr's dress was remarkably and even affectedly shabby, whilst the horse which he rode was a remarkably fine one. He reflected on it a moment after they were gone and was struck with the inconsistency, and concluded likewise that it could not be for want of money that men who rode such horses would travel so late at night in order to get to a private house. He concluded that it must be Mr. Burr, and immediately proposed it to Mr. Brightwell, the sheriff, who was then in bed, to go with him to Major Hinson's, and endeavor to ascertain whether their suspicions were right. They did so, and when they got to Major Hinson's, which is about eight miles from the court house, they found them warming themselves by the kitchen fire. Mr. Burr was evidently in disguise, but his countenance and stature perfectly agreed with the description which Mr. P. had heard of the late Vice-President. Mr. P. pretended to have called there by accident—that he had come from Fort Stoddart and must get to Wakefield that night. He therefore rode off and left the sheriff to make his observations on the travelers.

Mr. Brightwell found them inquisitive about Mr. Perkins, and noticed when Mr. Burr was about to put on his night cap, he inadvertently began to uncover his head, but suddenly checking himself, covered it again and went into the yard and there put on his night cap. In the morning he informed Mrs. Hinson who he was, for her husband was not at home; but still passing himself as a traveler on Mr. Brightwell, wished to know the way to the ferry, upon which Mr. B. told him that he was going that way and would accompany him. Ashley returned to the court house, and immediately began his intrigues, representing the object of Mr. Burr having been that of taking Mobile and Pensacola and giving to the people of Tombigbee the free navigation of the river. He seemed to be pretty successful in making impressions very favorable to Mr. Burr. Mr. Perkins, however, the preceding night, instead of returning to Wakefield, had pushed on to Fort Stoddart to inform Captain Gaines, the commanding officer there, who considering himself as fully authorized by the proclamation of Governor Williams, took three or four soldiers and going upon the road between the ferry and Major Hinson's, met Mr. Burr and Mr. Brightwell and instantly arrested him and carried him to the Fort. Mr. Burr had not informed Mr. Brightwell who he was, but had made inquiries of him relating to the road to Georgia, and likewise the road to Pensacola; but when Mr. Gaines demanded of him if he were not Colonel Burr, he acknowledged himself. I cannot describe his dress; but from the description which I have heard of it, it appeared to me to be that of an Indian countryman carricatured. In this dress he proceeded to the City of Washington, for his German secretary, whom he had sent by another route, through the Choctaw nation to the Tombigbee, did not arrive in time with his wardrobe, but is now here with a mulatto boy of Mr. Burr's. As soon as he was brought to the Fort Captain Gaines sent an express to Governor Williams to inform him of his arrest; but before he could return it, it appeared that Burr had been intriguing with two or three of the sentinels to favor his escape. The commander of a Spanish vessel had also been up the river in a boat with several men, and had expressed a great desire to see Mr. Burr, and Mr. Burr, on the other hand, appeared solicitous for an interview with the Spaniard. But it was denied; and Mr. Gaines, apprehensive that some plan for his rescue or escape might prove effectual, prevailed on several respectable citizens to escort him to the seat of the national government.

It is not our province to follow the fortunes and vicissitudes of this extraordinary person, beyond what transpired in Mississippi. Those who seek further information should read his trial at Richmond, the American State Papers, and the memoirs of General Wilkinson. This distinguished officer, having been formally charged by Daniel Clarke,

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D. W. Coxe, and Andrew Ellicott, with complicity with Burr, and with other treasons, demanded a Court of Inquiry, and in his defence, the most famous in our military annals, remarkable for its vigor, its logic, its searching analysis, its invective and its eloquence, he vindicated his whole conduct to the satisfaction of the Court and the President of the United States, and showed that his accusers were mercenary, perjured and corrupt.

What Burr's real design was may have been known to two or three prominent persons, but it was never definitely communicated to those whom he or his emissaries approached, nor to those who accompanied him down the river. His trial at Richmond, where witnesses were produced, who evidently had a strong desire to convict him, failed to establish any fixed design, but much was darkly shadowed forth. He constantly asserted that his object was to settle the Bastrop grant on the Ouachitta, a large portion of which, it was shown, he had purchased from Col. Charles Lynch, of Kentucky, and had paid for in cash and drafts, and had received a deed which was recorded in Lexington. He proved that he had purchased and made contracts for provisions and agricultural implements, and insisted that he had never contemplated the invasion of Mexico, unless in the event of hostilities between the United States and Spain, which then, and for some time previously, had been considered a very probable contingency, and was anxiously desired by the Western people. On his death-bed in 1835. he declared to Dr. Hosack, who had informed him that he had only a few hours to live, that he never contemplated an act hostile to the Union.* His object was colonization on the Ouachitta, with ulterior designs on Mexico. He believed that General Wilkinson, then in command of the United States troops and holding a menacing attitude on the Sabine, had it in his power and desired to bring on a war with Spain, and he so believed until the interview between the American and Spanish generals on the Sabine. From that moment Wilkinson, he insisted, became the pensioner of Spain, and, to conceal his own infamy, denounced Burr to the President as a conspirator against the Union. His understanding with Wilkinson, he alleges, had been explicit. The commencement of the war would have been apparently under the sanction of the United States, and would have drawn thousands of volunteers to the standard of an invader. Daniel Clarke, of New Orleans, had recently entered warmly into the project, and went to Mexico for confidential conference with certain leading personages. The Catholic bishop of New Orleans favored the scheme. Burr's plans had been communicated to the British minister at Washington, and he always believed that but for the death of Mr. Pitt, the British premier, he would have been aided by a British fleet.

This covers the whole defence of Aaron Burr. He is entitled to the benefit of his statement, and to the doubt that hangs over the matter. He commissioned his life-long friend, Matthew L. Davis, a trained ring politician of New York, to write his life and his vindication, from his posthumous papers. It was a labored attempt to whitewash Burr at the expense of Jefferson and Wilkinson. But it fell far short of its purpose, and leaves the impression that Burr was a bold and

*The death-bed declarations of one who believed in no future accountability are of little value.

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able, but restless and bad man, with little conscience or principle, and that his biographer was not much better.

Whether he meditated treason against his country, or is to be classed merely as a fillibuster, will probably remain one of the problems of history. There are parallel cases on record in which, where known facts supplied no positive solution, judgment has been made up by taking into consideration the antecedents and character of the party. But the rule will not apply in the present instance. The faults and the virtues—the good and the bad—stand out with equal prominence in the career of this extraordinary man. He had been a brave, daring, uncomplaining and active soldier, and sought the most desperate service, at a critical period of the revolutionary war. He seems to have had, either from his personal magnetism, his virtues or his talents, the facility of making and retaining very devoted friends. At the bar, it is enough to say that he was the rival of Hamilton. In politics, at a period when, in the contest for supremacy, conduct and character were severely scrutinized, he became the acknowledged leader of one of the great parties of New York, and attained a national popularity that placed him on the ticket with Jefferson. The circumstances attending the balloting for the Presidency, subjected him to suspicion, but his conduct as Vice-President was unexceptionable, and he finally took leave of the Senate in a speech that, for the time, disarmed his most violent opponents.

From that moment, however, he seems to have lifted up the floodgates that had so long restrained the bitterness of his nature. He had been, in all his political contests, cool, circumspect, self-possessed. Even the social ostracism and fanatical proscription, the clamor of puritan and partisan, superinduced by the fall of Hamilton, he endured with resignation and reasoned about it like a philosopher. He took no blame to himself for his part in that transaction, and is not blameable unless so far as duelling itself, under any circumstances, may be condemned. Both parties acknowledged the code—the affair was conducted strictly in conformity with its regulations. Hamilton fell, and neither he, in his last moments, nor his apologists afterwards, had any right to censure his antagonist.

The incidents of his death-bed were affecting, but his partisans made them sensational, and the celebrated Dr. Mason, in his funeral discourse, employed them for the destruction of Burr. The outcry was for political effect. Duels had often occurred in New York, and occasioned little remark. But the politicians gave the hint, and the preachers then, as now, political, represented Burr as a murderer, and Hamilton as a saint.

There is no body of educated men in this country more incompetent to decide a question of this nature, or any question involving fixed principles of morals and religion, than a large portion of the northern clergy. They are swayed by passion and prejudice; they shift about with every wind of doctrine, truckle to the judgment of the mob, and court the applause of the world. They have swung round from the extreme of Calvinism to the wildest rationalism; from the unrelenting doctrine of predestination and the damnation of infants, to Universalism. From Universalism to the doctrine that there is no such place as hell, and many of them are Darwinians as to the origin of man, and even doubt the immortality of the soul!

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When singing by note, by instructed choiristers, as a substitute for the old nasal singing, was proposed, all New England rose in arms against it. They next denounced instrumental music in churches as a suggestion from the Pope and the Devil. They now give us, every Sabbath, the latest opera airs, and a man who cannot buy a ticket to the theater, may go to church to hear the music, but, unfortunately, no poor man can buy a seat in the church!

So we attach no weight to the estimate put by the clergy on Hamilton and Burr. Hamilton may have been a better man than Burr, but he was no Christian, as his clerical eulogists would have us believe. If Burr was a libertine, Hamilton was no better. If Burr was politically impure, treacherous and intrigueing, so was Hamilton, if we accept the testimony of President John Adams, who knew him well, and has left the proofs on record.*

The clamor against Burr from the pulpits was the first display of that union of politics and fanaticism which has since characterized the Northern pulpit.

Finding it hopeless to recover his popularity in New York, the followers of Jefferson refusing their confidence, and the friends of Hamilton pursuing him with the ferocity of blood-hounds, he directed his attention to the West, combining in his projects speculation and military adventure. He began to speak contemptuously of the Union, as a mere rope of sand, and to predict that the separation of the Western and Eastern sections would inevitably follow from existing political and geographical causes. We find him thus speaking, in the outset of his journey, in western Pennsylvania, to Colonel George Morgan, an officer of the revolution, and long his personal and political friend. At his hospitable fireside where, until then, only the patriotic traditions of the war, and heart-cherished anticipations of the glory and grandeur of the republic, had been known, Burr declared that, with two hundred men he could drive the President into the Potomac and overturn the government. The old soldier replied: "*I'll be d——d, sir, if you could take our little town of Canoneburg with such a force. Our women are all democrats!*" These evidences of attachment, which were met at every stage of his wanderings, did not uproot the opinion that seems to have been deeply planted in his mind. Even while under arrest in the Mississippi Territory, we find him sneering at the instability of the government in the presence of Mr. Graham, its accredited agent, and of Caller and Henry, members of the Legislature from Washington county, on the Tombigbee. Colonel Burr had fallen into the common error of undervaluing the people. Educated in the camp, and in the discipline of party drill, he looked upon the masses as just so much physical force, to be operated on through their passions or interests, and propelled at will by superior intellect. He found everywhere ambitious men; disappointed men; dissolute men; bankrupts in fortune and character,

*Alexander Hamilton had been a gallant and efficient officer in the revolution. So had Burr. Intellectually they had few superiors, and in this respect, neither could boast much over the other. Burr was, probably, a licentious man, who had little regard for the moral code. Hamilton was certainly not immaculate, as his flatterers represent him. His last representative in New York, who published a book of reminiscences, attacking many public characters, was, according to his own showing, the best specimen of the political flunkey and place hunter we have had in this country.

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ready for adventure, strife and battle. But nowhere is there any proof that he met with one man who agreed to strike a blow against the Union.

He formed an association with General Wilkinson and others, to cut a canal round the falls of the Ohio, and had no sooner got there than he conceived the plan of being elected representative to Congress from Tennessee, and posted to Nashville to find that his plan could not be realized. He next made a rapid journey to the Orleans Territory, with the expectation that he might be returned as its delegate to Congress. Disappointed in that quarter, he hurries back to St. Louis, (where General Wilkinson was residing in the capacity of Governor,) and importuned from him a letter to Governor Harrison of the Northwestern Territory, to exert his influence to have him chosen there as delegate to Congress!

This is a singular and but little known episode in the life of Aaron Burr. Why the late Vice-President should pertinaciously seek the position of delegate, is not easy to conjecture. It illustrates, however, the real character of the man. Without citizenship, property or claim in Tennessee, Louisiana or Indiana, he calculated on an election exclusively through the manipulation of a few persons who could lead the populace, and whom he, in turn, would suborn and cajole. Democrat, as he had been by profession, he regarded the people with contempt, and relied for the accomplishment of his objects on deception, discipline and corruption, and intellectual force against numbers.

Under these disappointments he appeared again at Washington, and was coldly received. He spoke sneeringly, in return, of the government and its policy. Whatever may have been his purpose, whether digested or only in incubation, he devoted himself to it with characteristic energy. He corresponded with and interviewed many prominent characters; collected funds; invented ciphers and countersigns; dispatched agents in different quarters; made rapid journeys from point to point, never openly disclosing his intentions, but hinting at wealth and power and fame, and leaving everywhere the impression that he had the sanction of government for his enterprises. Fascinated by this mystery, and the light he occasionally allowed to glimmer through his habitual reticence, many influential persons enlisted under his banner. General Jackson and General Adair were willing to follow him to Mexico. None of them were privy to his designs. It is probable that he, himself, had never completely mapped them out, but left much to depend on contingencies.

It appears from the communications of General Wilkinson, Mr. Graham (confidential agent of the government) and others, that Burr contemplated several distinct objects which might be pursued, either jointly or separately, and either the one or the other first, as circumstances should indicate. One was the seduction and separation of the Western and South-western States and Territories, with a military government at New Orleans. The second was the invasion and revolution of Mexico, with the shipping and treasure at New Orleans to facilitate the scheme. The third was the colonization of a large tract of land on the Ouachita, which was probably used as a cover under which to retreat, upon the discomfiture of his other plans.

He soon ascertained that the dismemberment of the Union was impracticable. The discontent that had prevailed in the West, growing

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out of the repressive commercial policy of the Spaniards, had passed away with our acquisition of Louisiana. The Spanish authorities and the agents of the French Republic, and British emissaries from Canada, with resources far beyond the means of any private conspirator, had calculated, alternately, on these discontents, and for a series of years had sent their agents and their money into Kentucky and Tennessee, with no result but the subornation of half a dozen scoundrels. The whole body of the people stood by their country with a firmness and enthusiasm characteristic of their section.

Though discouraged by this unmistakable public sentiment that pervaded the West, he had gone too far to recede. There was no home or refuge for him whence he came, and it is probable that he fixed his eye on Mexico, making the seizure of New Orleans to depend on the contingency of a union with General Wilkinson, in command of the army, and then confronting the Spaniards on the Sabine.

These two remarkable men had long known each other in society and on the battlefields of the revolutionary war. They had some attributes in common. Both ambitious; fond of display, extravagant; thriftless; always in debt; brave, brilliant, punctilious; versatile; partial to the sex, and devoted to the pleasures of the table. Each had been honored by the country and the government, but not in a ratio with their own opinion of their merits. And each had their private grievances, either fancied or real, against certain characters more prominent and more prudent than themselves.

There was this difference, however, between these men. Wilkinson, with all his foibles, was a patriot and a man of honor, warm in his attachments and with devoted friends. Burr was cold, austere, saturnine and isolated, wholly unscrupulous in private and in public life, with no faith in the chastity of women or the integrity of men. This may be considered a harsh judgment, but it is formed on the authentic records of his career, and the disclosures made by his own chosen biographer.

He calculated largely on the co-operation of the American general. Wilkinson promptly communicated his overtures to government, and President Jefferson's proclamation gave the *coup de grace* to his designs, whatever they may have been. He whom ten thousand gallant spirits would have followed into Mexico, with the sanction of their government, found himself an object of suspicion—a fugitive—a prisoner—a branded traitor.

The prosecutions against him in Kentucky, in Mississippi and in Virginia, had been mismanaged and abortive, and he stood invulnerable to the law. But a power greater than the law, or than the courts, gave the death-blow to his designs, whatever they may have been, and made him a wanderer and vagabond for the remainder of his days.

These prosecutions, though failures, stripped the vizer from his movements, proved that he had no relations with the government, and was suspected of disaffection. And in the whole West not five hundred men could be found to follow his standard. And thus it may it ever be so long as our government shall be administered, as it then was, in the great interests of liberty and humanity, and in conformity with the Constitution.

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CHAPTER XXV.

DURING the administration of Governor Williams, the great drawback to the Territory was the conflicting land claims. The Yazoo claim covered about seven-eights of the settled portion and about two-thirds of the whole area. The action of the Supreme Court, as far as it went, manifested a leaning to the claim, and had alarmed the government and the community. The British land claims, covering the most valuable lands in the Territory, operated in the same way. Many propositions were made to Congress to interpose by non-resident and resident claimants, and these were ably but ineffectually supported by our delegates, Messrs. Lattimore and Poindexter.

The uncertainty which hung over the titles to land was a serious obstacle to enterprise and improvement.

This uncertainty of the validity of the tenure by which lands were held in the Territory, resulted from important public events, the chief of which was the Declaration of Independence by the American colonies.

Georgia, the territory of which was claimed to extend to the Mississippi river, was originally a proprietory government, but as early as 1752, it was converted into a colony, belonging to England.

In 1763, England acquired the Floridas by cession from Spain, and down to the breaking out of the American Revolution, owned both the territories of Georgia and West Florida, and, consequently, could rightfully grant lands in either. The only question which could arise in respect to such grants was, whether they were made in accordance with the laws of England.

These grants were, in some cases, made directly by the Crown, and in others, by colonial Governors, under certain restrictions, one of which was, that there could be no grant by a colonial Governor of lands to which the Indian title had not been extinguished; and another, necessarily implied, was, that the colonial Governor must confine his grants to the territory over which he was appointed.

The boundary between the British colony of Georgia and West Florida, at the date of the acquisition of the latter by England, was the 31st parallel of north latitude. In 1764, the Board of Trade, which then had the administration of colonial affairs, petitioned the Crown to extend the limits of West Florida to a line beginning at the

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mouth of the Yazoo river, and running due east. No proclamation was made establishing this line as the northern boundary of West Florida. The only evidence that existed of a change of boundary, was found in the commissions issued to colonial Governors. By the Treaty of Peace of 1782, the southern boundary of the United States was recognized as being the 31st parallel; and by the treaty with Spain in 1795, that boundary was acknowledged by Spain.

Notwithstanding the Declaration of Independence, the British Government continued to make grants of lands in the province, as sovereign of the country, and after that government had retroceded West Florida to Spain the latter made grants of lands asserting claim to, and occupying the territory south of the Yazoo line, until 1795, and even down to 1797, the date of the final evacuation of the province, authorized settlements to be made in it, as part of West Florida.

In 1802, Georgia ceded her western territory to the United States, and the treaty of cession provided for the recognition of both the British and Spanish grants, provided they were accompanied by actual occupancy, prior to the treaty of with Spain of 1795.

In 1803, the Congress of the United States passed a law which extended the recognition of the British and Spanish grants, to cases in which there was a genuine grant or "order of survey," though not followed by occupancy; and in 1804, another act of Congress gave to actual settlers, during the Spanish occupancy of the Territory, the right of pre-emption. Commissioners were appointed under this act, charged with the duty of investigating the numerous claims under alleged British and Spanish grants, with power to confirm or reject them, as the evidence might warrant. This commission adjusted many claims. Nevertheless, the whole subject was, in one way or another, brought before the courts of the United States, and these courts announced certain leading principles, and decided certain questions, which disposed of the whole subject of controversy, definitely and finally.

1st. That the treaty of 1782, between the United States and Great Britain, in recognizing the independence of the colonies, also recognized their title to the Territory which they claimed; that the United States did not, by that treaty, acquire any of their territory from Great Britain, but held it by original and indefeasible title; that the Declaration of Independence was a denial of the sovereignty of Great Britain over the country.

2d. That the treaty with Spain of 1795, by which the 31st parallel of north latitude was recognized as the southern boundary of the United States, was not a cession of territory north of that line by Spain, but the recognition of a pre-existing right in the United States.

3d. That neither the British grants, subsequent to the Declaration of Independence, nor the Spanish grants, possessed any inherent validity. The former were void because, according to the principles of public law, the war had established not only the independence of the United States, but their title to the territory they occupied and claimed, from the time they renounced the sovereignty of Great Britain, and, consequently, British grants, subsequent to that event, were without any authority or foundation. The latter were void because Spain never had any title to the territory north of the 31st parallel.

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4th. That these grants were without efficacy, except as they were recognized by the acts of Congress of 1803-'4, so that such titles were in legal contemplation, derived from the United States.

5th. That there was not sufficient evidence that the limits of West Florida were ever extended to the Yazoo line, and that the contrary was impliedly conceded by the treaty of 1782, which fixed the 31st parallel as the true boundary, as it was, also, by the treaty with Spain of 1795.

6th. That all grants by Colonial Governors of West Florida, of lands lying north of the 31st parallel should be denied recognition because those functionaries had no power, according to the laws of England, to make grants in territory over which they had no jurisdiction; and lastly, that grants by Colonial Governors, of lands to which the Indian title had not, at this date, been extinguished, were not entitled to recognition because invalid, even according to the proclamations of the British crown.

The settlement of these points put an end to all doubts and controversies.*

The arrearages for lands bought of the United States were pressing our people. Public lands were then sold, payable by installments, and this led to competition and high prices for land, and was our first illustration of the evils of the credit system. Mr. Poindexter, our delegate, in 1805, obtained an extension of time for the purchasers, and Mr. Lattimore obtained two more extensions, yet still the payment was burdensome, and a number forfeited their lands.

Notwithstanding these drawbacks, our population steadily increased. The isolated county of Madison, north of the Tennessee river, some four hundred miles from the counties on the Mississippi, with the Creek, Choctaw and Chickasaw territories intervening, attracted many of the immigrants. The rich settlements on the Tombigbee drew many settlers from Carolina and Georgia. These two sections were remote from the seat of government at Natchez, with the Choctaw Nation between them. And very naturally there soon sprung up in those sections a demand for a division of the territory. Indeed, as far back as November 25th, 1803, Mr. Lattimore presented a petition from the Tombigbee settlers, for a division of the Territory, and on the 12th June, 1809, Mr. Poindexter presented a similar petition from the same quarter. During all these years, and until 1817, when a division was authorized by Congress, this question, in one shape or other, agitated the public mind and influenced the elections. One party, including a majority of the republicans, (Jeffersonians,) in the river counties, with Messrs. Poindexter, Mead, Shields and Claiborne at their head, opposed any division, and desired to have one grand State, whose power would be felt in the Federal Union. It was a fertile subject to expatiate upon, and they made the most of it. Another party favored a division of the Territory, to form two States. They contended that we should thus, in time, have four Senators in Congress, which would more than balance the advantages to be derived from the influence of a single State. And they insisted that there was no community of interests, no homogeneity, between the people of the two sections.

*I am indebted to a distinguished friend, the Hon. Wiley P. Harris, of Jackson, for this luminous review of the British and Spanish land claims that so long harrassed the people of the Territory.

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This party was led by Judge Toulmin, Joseph Carson, Nicholas Perkins, Lemuel Henry, Thomas Malone and others, who had, or fancied they had, cause to be jealous of the western gentlemen who thus far had monopolized the Territorial dignities. A party, led by prominent men in Madison county, favored a division of the Territory, but desired an east and west line from the Mississippi to the Chattahoochie. Another party, favored by Governor Claiborne of the Orleans Territory, proposed to annex to that Territory all of Mississippi west of Pearl river and south of the 33° of latitude. Or as an alternative, Governor Claiborne asked that the district which he claimed as part of Louisiana, and which, it will be remembered, he had organized in 1811, into the parishes of Biloxi and Pascagoula, should be annexed to the Orleans Territory. There was still another party, with Wm. Lattimore in the lead, which maintained that all this agitation was premature; that we were getting along very well as a ward of the government, and that it would be best to continue such until the Yazoo and British claims were settled, and our people relieved of the heavy arrearages due for land—thus avoiding the expenses of State organization, and an exemption from a direct federal tax on the people of the State, which was then probable.

At this distance of time, it seems that this party had the best of the argument. The advocates of one great State, no doubt, calculated somewhat on the large amount of federal and other patronage that would pass through their hands. The Tombigbee clique saw no chance for territorial honors without a division. They desired that Pearl river should be the dividing line, thus securing the lion's share, including the entire seaboard. Thus, with these numerous projects, it was a game of see-saw with parties and politicians for ten years or more, and elections were decided by the fluctuations from one faction to the other.

Messrs. Poindexter and Lattimore presented strong petitions from the Tombigbee settlers for a division.

In 1812, Mr. Poindexter carried a bill through the House for the admission of the Territory as a State, but it was defeated in the Senate on the ground that a State of such vast dimensions would in time have undue preponderance. At the evening session he effected the passage of a bill for the admission of the Territory, providing for future division, but the Senate still objected. Mr. Lattimore subsequently introduced the same bill, with a similar result in the Senate. Mr. Poindexter and Mr. Lattimore, of course, presented all the petitions that were sent to them, and at all times were prepared to carry out the popular will, but it was difficult to ascertain this as Mr. Lattimore puts it. "I received," says he, "a petition from the Legislature, in its collective capacity, against division. A petition from members of the Legislature, as individuals, in favor of division. A petition from other members against division. There was a majority of two in the House for division, and two in the Council against it." A convention of delegates, elected as delegates are now elected to political conventions, met at the house of Mr. Ford on Pearl river, to consider the subject. This convention remonstrated against a division, but it was contended that the meetings to elect delegates were only partially attended in many counties, and did not represent a majority of the people. The convention appointed a special agent to repair to Washing-

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ton and oppose the division of the Territory. He performed his part with industry and zeal, and even went so far as to deprecate the undue influence that apportioning the Territory into two States would give us in the Senate. He likewise contended, very erroneously, that a large portion of the Territory was a mere desert, and that it was incapable of supporting an organization of more than one State. Mr. Lattimore did not feel complimented by the presence of this agent, and did not approve his line of argument. He insisted that the prosperity of his constituents could be best secured by an extension of influence at the seat of government and a diminution of causes of contention at home, and properly denied that any portion of the Territory could be classed as barren or unproductive. Four senators would extend our influence. The separation of the Mississippi and Tombigbee settlements—the fruitful source of sectional quarrels—would restore tranquility. He, therefore, became an earnest advocate for division. And the division was finally agreed to. There was a great squabble about the line. The committee of the Senate was in favor of making the Tombigbee the dividing line. The committee of the House insisted that the Tombigbee should be left exclusively in the eastern division. In the Territory some people were for making the Pascagoula river the boundary. In the western counties it was insisted that the line should be so run as to secure Mobile for the western division. This Mr. Lattimore very justly opposed. His *projet* was to follow the Choctaw boundary easterly, from the north-west corner of Washington county to the Tombigbee, thence up that river to Cotton Gin Port, thence north to Bear creek. It is very evident, from his whole course in this matter, that this intelligent and conscientious man, intended to represent the whole Territory fairly in this and all other matters. But a terrible howl was made in the West against his surrender of the only seaport, and of the Tombigbee, and he was not only defeated, but never recovered his popularity, though no man had served the Territory with more fidelity. And in private life, of all our public men, he had ever been the most exemplary and unimpeachable.

The line dividing Mississippi and Alabama left to the former one of the most beautiful sea coasts in the world, extending from Pearl river some seventy miles eastward along the Sound. A chain of islands extends along its front, securing an inside channel perfectly safe in all weather. And between Ship and Cat islands, one of the finest harbors in the South. In 1817, when the politicians in Mississippi were decrying Mr. Lattimore for giving up Mobile, "our only sea port," they seem not to have known that we had within our own limits a harbor far superior and equal to the utmost demands of trade. They seem to have shut their eyes to the fact that only two years before, in the dead of winter, when the tides are low and the winds high, the British fleet, with Packenham's army, lay securely at anchor in SHIP ISLAND HARBOR, within seven miles of the main land. To give some conception of the capacity of the harbor (which has never had one dollar expended on it) the following list of the British fleet is published:

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SHIPS.	COMMANDERS.
Tonnant, 80 guns	Vice Admiral Sir A. Cochrance, K. B., Rear Adm. Codrington, Capt. Kerr.
Royal Oak, 74 guns	Rear Admiral Malcolm. Captain Wroot.
Norge, 74 guns	Dalkford.
Bedford, 74 guns	Walker.
Raminies, 74 guns	Sir T. Hardy.
Asia, 74 guns	Skeene.
Dictator 64 guns	Crofton.
Diomede, 50 guns	Kippon.
Gordon (fs) 44 guns	R. B. Bowden.
Armide, 38 guns	Sir T. Troubridge.
Belle Poule, 38 guns	Baker.
Traave, 38 guns	Money.
Weser, 38 guns	Sullivan.
Alceste, 38 guns	Lawrence.
Hydra, 38 guns	Digey.
Fox, 36 guns	Willock.
Cadmus, 36 guns	Langford.
Thames, 32 guns	Hon. G. L. Irby.
Dover, 32 guns	Rodgers.
Bucephalus, 32 guns	D'Aith.
Calliope, 16 guns	Codd.
Anaconda, 16 guns	Westhall.
Borer, 14 guns	Rawlins.
Manly, 14 guns	Locke.
Meteor, (bm) 6 guns	Roberts.
Volcano, (bm) 6 guns	Price.
Etna, (bm) 16 guns	Gardner.
Pigmy, (fch) 6 guns	Lt. Crossman.
Jane, (cutter)	Johnson.
Speedwell, (fch)	———

Up to 1809 the circulating medium of the Territory was chiefly Spanish coin—doubloons, dollars, halfs, quarters, pistareens and picayunes. The only currency was the receipts given at the public gins for cotton deposited there to be ginned. A statute of the Territory (see Toulmin's Digest, p. 232–5) regulated this matter. The planter hauled his cotton to the gin, it was there duly weighed and receipted for, and the ginner was bound by law to deliver the proceeds baled to the holder of the receipt within four months, under heavy penalties.* These cotton receipts were made negotiable by law, and passed from hand to hand like other currency. In 1809 the Bank of Mississippi was chartered, the commissioners being Francis Xavier Martin (afterwards chief justice of Louisiana), Ferdinand L. Claiborne, Abijah Hunt, Sam. Postlewaite, Cowles Mead, Wm. B. Shields, Alexander Montgomery, Joseph Sessions, Winthrop Sargent and Lyman Harding. The charter was to run twenty-five years, and the directors were made individually liable for any emission of notes or bills over three times the amount of their capital stock. This bank, from its outset to its close, was wisely conducted, in the interest of the whole community, and supplied a currency that was never dishonored. It had no favorites; was ruled by no clique; was never used to favor monopolists and speculators, to depress and augment prices; or to practice any of those frauds that have made the American banking system so justly

*The customary toll at the public gins in 1805 was one-twelfth, and $2 a bale for packing, baling and rope.

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obnoxious. It was a private corporation until 1818, when the Legislature extended its powers, established it as a State Bank with an additional capital of $3,000,000, the State to subscribe for one-fourth, and to appoint one-third of the directors, the charter to run until 1841, and no other bank to be incorporated during that time, There was a proviso for three branches, with the privilege of more, if the directors should deem it expedient.

There never was a complaint that this bank did not fulfill its whole duty to the State. Yet in violation of the solemn pledge of 1818, the Legislature established the Planters' Bank, and made it the financial agent of the State. When the honest, able and conservative managers of this institution perceived, by this movement, that there was an irrepressible demand for more money to be loaned to irresponsible borrowers, to invest in wild lands and negroes, foreseeing the calamities that would follow, they prudently wound up their business and refused to accept a renewal of their charter.* From that date

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MISSISSIPPI TERRITORY,
HOUSE OF REPRESENTATIVES,
December 21st, 1814.

Mr. Smith offered the following resolution for the consideration of the House:

Resolved, That a committee of seven members be appointed to enquire into the causes of the Bank of the Mississippi refusing to pay specie for notes issued by said Bank.

The House agreed to consider the resolution, and on the question, shall said resolution pass, it was resolved in the affirmative without a dissenting vote—and a committee was appointed, composed of the following members:

Messrs. Smith, Moore, Hoggatt, Shields, Downs, Stuart and Rankin.

On the 22d, the chairman of the committee addressed the following letter to the President and Directors of the Bank of the Mississippi, their agent or attorney:

GENTLEMEN: Through a member of the General Assembly of the Mississippi Territory, the House of Representatives are informed, that the Bank of the Mississippi has refused to pay specie for notes issued by said Bank—in consequence of which information, the House of Representatives have unanimously adopted the following resolution: [Here the letter contained the resolution adopted by the House.]

Agreeably to instructions of the committee appointed in pursuance of the foregoing resolution, permit me to request your attention, and an answer to the enquiry contained in said resolution. The committee is also desirous of obtaining, in addition thereto, answers to the following questions:

Will there be any exceptions to the refusal to pay specie? If any, how far will those exceptions extend?

How long will those general or partial refusals continue, and what will be the circumstances that will probably govern them?

The operations of the government, to a considerable extent, being predicated on the circulation of the notes of the Bank at nominal value, and the Territory having, by law, made them a tender in the payment of taxes, are motives that have induced the House of Representatives to institute the foregoing enquiry, to which answers are respectfully solicited.

I am, gentlemen, Very respectfully yours, etc.,

SAMUEL SMITH,
Chairman Select Committee.

Committee Room, December 22d, 1814.

On the 23d, an answer to the foregoing was received by the committee, signed by Lyman Harding, Esq., as agent of the Directory of the Bank of the Mississippi. The letter is considerably in detail, and is preserved among the papers of the House. The agent also met the committee in person, and gave copious explanations on the subject of enquiry instituted by the House. On the letter and oral explanations of Mr. Harding, is founded the following report of the committee:

The Committee appointed by this House to examine into the causes of the

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banks sprung up like poisonous fungi in Mississippi, and none of them were conducted on safe and legitimate principles. Many of them were used in the interest of rings and for the perpetration of deliberate and gigantic frauds. They became subservient to ambitious politicians and desperate speculators, and scattered broadcast the seeds of demoralization and corruption. Political parties, the Legislature and the courts became tainted, until finally the whole brood of these infamous institutions perished of their own rottenness. And their very records, like the Yazoo Act of Georgia, would have been burned with fire drawn from the sun, only that it was deemed prudent to preserve them as a warning to posterity, as in former times they gibbeted a malefactor that his grinning skull and rattling bones should remind society of the crime!

Governor Williams, by this time, had become exceedingly unpopular. He was a man of peculiar temper, not of conciliatory address, very obstinate in his prejudices and never knew when to yield. He was strongly backed by a powerful influence in North Carolina, and by a small but active faction in Mississippi. His supporters and opponents claimed to be equally the friends of the national administration, but at length the President designated his successor.

DAVID HOLMES, the appointee, was born in York county, Pennsylvania, March 10th, 1769. His father, Colonel Joseph Holmes, was a native of the north of Ireland, who came to America at an early age, and served as commissary, with the rank of colonel, in the revolutionary war. He married a daughter of Colonel David Hunter, of

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Bank of Mississippi having failed to give specie in exchange for their notes, feel a pleasure in being able to report, from information communicated to them by an agent specifically appointed by the President and Directors, that the failure to pay specie has not arisen from any danger of insolvency on the part of the Bank, but from causes deeply involving the best interests of our country. The Bank has means of payment more than sufficient to meet any demands against it, bearing the proportion of eighteen to eight; being partly in specie now in the vaults of the Bank, deposits of specie in other banks, and notes due to the institution, with the best indorsers. The object of the President and Directors is to prevent the enemy, now on our coast, by their emissaries among us, from obtaining, through us, means of supporting their armies and navy, of facilitating their means of annoying by draining our country of specie. An additional reason arises from similar measures having been adopted by almost every other banking establishment in the United States, and the necessary connection of this Bank produced by commercial transactions. Every facility is promised to be rendered, to make this necessary general measure as little oppressive as possible, by furnishing those residing at a distance with bank notes and checks on banks in the respective States of the Union. Your Committee are assured by the President and Directors, through their agent, that this measure has no foundation in motives of speculation, but has arisen from imperious necessity, from correct and political views calculated to foster the interests of the institution, and with it the interests of this Territory, and interest of the United States, and to retard the operations of our enemy. As soon as the necessity which produced the measure, intended to be general in its operations, ceases to operate, the President and Directors will feel a pleasure in removing all obstacles; and will commence receiving their notes, in exchange for specie. From a view of the whole ground, as exhibited by the agent of the directory of the Bank, to your committee, they recommended to the House the adoption of the following resolutions:

Resolved, That the causes and reasons assigned by the agent of the directory of the Bank of the Mississippi, for refusing to pay specie at the present time, are satisfactory.

Resolved, That in the opinion of this House, the refusing to pay specie is not [dictated by any views of unfair speculation, nor] founded on any doubt of the solvency of the Bank, but is justified by the present eventful crisis.

Resolved, That no further proceedings thereon are necessary at this time.

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Gov. David Holmes.

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Berkley county, Virginia, and, after the birth of two children, removed to Winchester to reside. The eldest son was Hugh Holmes, of Winchester, a distinguished barrister, Speaker of the House of Delegates, and for twenty-five years a Judge of the General Court of Virginia, who died in 1825. The youngest son was A. Hunter Holmes, an officer in the United States army, once stationed in Mississippi, who fell in Canada during the last war with Great Britain, after a career as brilliant as it was brief.

David Holmes passed some years in a mercantile establishment owned by his father, but he subsequently was admitted to the bar and settled in Harrisburg, in the circuit where his elder brother was then the leading practitioner. He was not an orator, but was studious, painstaking, earnest and persuasive. He became exceedingly popular, and, after a few years at the bar, was elected to Congress, where he continued until his appointment as Governor of the Mississippi Territory, March 4th, 1809. His district was composed of the famous counties of Rockingham and Shenandoah, usually called the "10th Legion of Virginia." This appointment induced many of his relations and friends to immigrate to the Territory, including the Thrustons, Dangerfields, Gildarts, Conrads, Starkes and Nortons. He discharged his executive duties with ability, firmness and tact. He assuaged the violence of party by the suavity of his manners, the blandness of his temper, and his inflexible official and personal integrity. He had no enemies. The Indian war, and the British war, occurred during his administration, and, of course, his responsibilities were greatly augmented. Immense amounts of public money passed through his hands, but his early business training enabled him to keep everything straight. When the Territory entered the Union as a State, he was elected Governor by the people, without serious opposition, and was subsequently transferred to the Senate of the United States. After eighteen years continuous service in the interests of Mississippi, advanced in years and in broken health, he returned to Winchester in 1827, and after five years of patient suffering died August 20th, 1832. He lies buried there, in the sacred soil of Virginia, where, forty-seven years afterwards, the immortal Stonewall Jackson, with an army in which Mississippi and Louisiana were brilliantly represented, drove back the invaders who threatened to trample upon his grave!

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CHAPTER XXVI.

WEST FLORIDA was, at this period, in the hands of Spain, and she kept a garrison at Baton Rouge, and exercised jurisdiction over all the district now known as the Florida parishes, Louisiana, and the seaboards of Mississippi, claiming the whole country between the Mississippi and Perdido rivers. The United States claimed the same district, under the treaty of Paris, made in 1803, as part and parcel of Louisiana, but Spain had not delivered it, and a diplomatic correspondence was then, and long had been, pending between the two powers. The western portion of the district was occupied chiefly by American settlers who had immigrated there while it was a British province, and their descendants. Many of them were men of wealth and culture. This population extended from the 31° of latitude, or line of demarkation, to the shore of lake Pontchartrain. On the seaboard, and on the Perdido, the population was, for the most part, the descendants of the followers of Iberville, with an infusion of Indian blood. The Americans seeing Mississippi and Orleans Territories in the hands of their countrymen, became dissatisfied with Spanish rule, and, no doubt, were encouraged by friends in those Territories, to strike for annexation or independence. They finally embodied and marched on the fort of Baton Rouge. Delassers, the Spanish commandant, was absent, and the fort was in charge of Lieutenant Grandpre, a mere youth, with a garrison not exceeding thirty soldiers. When summoned by four times his number to surrender, he calmly answered that he could not do so without orders, and planted himself in front with his drawn sword to oppose their progress. And there, at the post of honor, with an antique heroism that should have shielded him from injury, he fell, the first victim of the assault!

The insurgents, or "patriots" as they were then styled, were led by Captain Thomas, at the head of eighty riflemen, and Captain Depassau, with a company of cavalry, and Reuben Kemper, with his personal followers.

With a faculty that Americans have always exhibited for organization, a temporary government was improvised by consent, and an election ordered for a convention to declare the will of the people as to their future movements. The delegates assembled in September, with John Rhea in the chair, and Dr. Andrew Steele, Secretary. A Declaration of Independence was issued, and they announced them-

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selves an Independent State, under the name of the Commonwealth of West Florida. They gave the President of the United States formal notice of their action and solicited annexation as a co-equal State or Territory of the Union, with the reservation, for their own benefit, of all the public domain within their limits, as a compensation for the expenses they had incurred in rescuing the district from foreign rule. And they declared that, if annexation was not promptly conceded, they would seek an alliance with some other government.

They had been assisted, it appears, by numerous deserters from the United States army, and their proposition to the government stipulated for their pardon, and exemption from further military service.

The whole movement, and the propositions that followed, were strictly in conformity with American characteristics—full of "cheek" and particularly cool.

The President made no formal reply, but by his proclamation claimed the whole district as part and parcel of ancient Louisiana, and that by the treaty of 1803, with France, it had been purchased by the United States. And he directed Governor Claiborne to take possession, and consider it as a portion of the Orleans Territory. He was, likewise, ordered to apportion it into parishes, establish courts, appoint civil officers and organize the militia. These orders were communicated to Governor Holmes, of the Mississippi Territory, with instructions to respond to any call that should be made on him for co-operation.

Returning from a visit to the Northern States with these instructions, Governor Claiborne, accompanied from Natchez by the Natchez Rifles and Adams county dragoons, presented himself in St. Francisville and Baton Rouge, and hoisted the national flag without opposition or remonstrance. And the government of West Florida, or of the Convention, as it was commonly styled, peaceably expired! In December, 1810, on a requisition from Governor Claiborne, Colonel Constant, with a detachment of United States troops, garrisoned Baton Rouge. Governor Claiborne next issued a proclamation declaring its incorporation with the Territory of Orleans, and proceeded to organize it into the parishes of Feliciana, East Baton Rouge, St. Helena, St. Tammany, (and what is now our Mississippi seaboard,) Biloxi and Pascagoula. In those then remote settlements, where Iberville had first planted his colony, the officers of the late Florida Convention, or more properly, a body of bushwhackers and jayhawkers, led by one Sterling Dupree, claiming to hold their commissions from the Convention, and using its flag, were still in arms, robbing and plundering, and extorting oaths of allegiance from the simple inhabitants.

STATEMENT OF JOSEPH COLLINS TO GOVERNOR CLAIBORNE.

A few days ago, at the Bayou St. John, Joseph Rabie, master of a schooner just arrived from Pascagoula, informed me that a few days before he left, he was forced to obtain a passport from one Pierre Nicolet, acting commandant (as he said) under the Florida Convention. That the Convention flag was hoisted at the mouth of Pascagoula river. That a party of forty men had come down, commanded by one Sterling Dupree, who compelled the inhabitants to swear that they would take sides with the Convention or remain neutral. That they pressed and took away the schooners belonging to the settlement, which they loaded with plunder and five or six negroes, stolen from the resi-

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dence of John B. Nicolet, deceased, and proceeded up the Pascagoula, as he was informed, as far as the American line, the 31° north latitude, where they halted. That on his way here he, (the said Rabie,) passed the Bay St. Louis and the Pass of Christian. That the people were tranquil, but there was no administration, no officers and no laws since the Spaniards had withdrawn to Pensacola.

Rabie further said that the men of Pascagoula had assembled to rescue the property which Dupree was carrying off, and had fired upon him, but were driven back by superior numbers, with Samuel Davis killed, and Allan Gooding and one other wounded.

*CAPTAIN GEORGE FARRAGUT'S STATEMENT TO GOVERNOR CLAIBORNE.

JANUARY 2D, 1811.

I anchored at Pascagoula on the 2d December last. On the 3d I went ashore, and a party of some ten men appeared and said that Majors Hargrave and Dupree desired to see me. I replied that I would call on them next day. They were at the house of the late John B. Nicolet, deceased. On my arrival they hoisted the flag of the Convention. Next day they pressed the schooners belonging to John B. Bodraw, Anthony Krebs and Augustus, a free mulatto; brought them before Mr. Nicolet's house and loaded them with his personal effects, furniture, provisions, liquors, dry goods and negroes. They even wrenched off the locks and bolts from doors and windows. On the 10th, they left, under command of Dupree, leaving Pierre Nichola as commandant of Pascagoula. It is understood that Dupree proceeded up the river to his residence, two miles below Ellicott's line of demarcation.

Dupree left with Nicolet orders to require the inhabitants along the coast, to take the oath to the Convention. He had dispatched his sergeant, James Havens, as far as Bay St. Louis, to summon the people to repair to Pascagoula for that purpose.

On the 5th January the Governor dispatched Dr. Flood, a well-known citizen of New Orleans, on the U. S. sloop, Alligator, Captain Farragut,† with instructions to proceed to the Bay St. Louis, the Pass of Christian and Pascagoula, and hoist the flag of the United States, and to distribute copies of the President's proclamation and of his own ordinances establishing the parishes of Biloxi and Pascagoula. He was entrusted, likewise, with commissions for Simon Favre, Fortesque Coming, Phillip Saucier, Jacque Ladnier and Benj. Goodin, as Justices of the Peace, each of whom to be furnished with a copy of the Territorial laws.

DR. FLOOD'S REPORT.

NEW ORLEANS, January 25, 1811.

GOVERNOR: In compliance with your instructions I embarked on the Alligator, on the 5th, and proceeded to Mr. Simon Favre's on the eastern bank of Pearl river. He is a planter, owns a large stock, and is an educated and very agreeable gentleman. He accepted the commission with pleasure, and will make an energetic officer, and seems greatly to value the respect you have manifested for him. I hoisted the flag of the United States, at Bay St. Louis, on the 8th, and handed a commission to Philip Saucier, a venerable gentleman of prepossessing manners and with a patriarchal influence. Next day displayed the flag at the Pass, and proceeded to the bay of Biloxi, where I found Mr. Ladnier, and gave him the commission. He is a man of excellent sense, but

*Father of the renowned Admiral.

†"Captain George Farragut," said the Governor, is well acquainted with the coast and the inhabitants, understands the Spanish language, and is thoroughly reliable in any position."

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can neither read nor write, nor can any inhabitant of the bay of Biloxi that I can hear of. They are, all along this beautiful coast, a primitive people, of mixed origin, retaining the gaiety and politeness of the French, blended with the abstemiousness and indolence of the Indian. They plant a little rice, and a few roots and vegetables, but depend for subsistence chiefly on game and fish. I left with all these appointees copies of the laws, ordinances, etc. But few laws will be wanted here. The people are universally honest. There are no crimes. The father of the family or the oldest inhabitant, settles all disputes.

On the morning of the 13th I landed at Pascagoula and planted the national flag. Here I met some men who had just come down the river from Dupree's, who said that he was at home, and that he had taken down the convention flag on the 2d inst., and hoisted the national colors. Kemper had dismissed his men, informing them that the object of their association had been accomplished, and advised them to strictly obey the laws of the United States. After commissioning Fortesque Coming,* I dispatched him up the river to Dupree, to induce him to restore the property he had carried off. Finding no one able to read or write in the Pascagoula settlement, and the inhabitants expressing great confidence in and attachment for Capt. George Farragut, sailing master in the Navy, on this station, I prevailed on him to accept the commission for the parish. Benjamin Goodin, the other magistrate, resides on the river twenty miles up. Finding that only one family resided at Bayou Batre, I did not go there, but entrusted a flag with Mr. Morrison, formerly of the Navy, who promised to hoist it at that point. The population of Pascagoula parish is about three hundred and fifty; of the parish of Biloxi, four hundred and twenty—chiefly French and creoles. A more innocent and inoffensive people may not be found. They seem to desire only the simple necessaries of life, and to be let alone in their tranquility. I am greatly impressed with the beauty and value of this coast. The high sandy lands, heavily timbered with pine, and the lovely bays and rivers, from Pearl river to Mobile, will furnish New Orleans with a rich commerce, and with a delightful summer resort. For a cantonment or military post, in consideration of the health of the troops, this whole coast is admirably fitted.

The policy of Governor Claiborne towards the people so recently under the Spanish flag, and afterwards of Convention, was very conciliatory. He conferred appointments on General Thomas, John Rhea, Dr. Steele, John H. Johnson, Ben. P. Thomas, James Neilson, and others—men of high personal character who had been leaders in the Florida Convention movement, And remembering the heroic conduct of young Grand-pre, he procured for his brother a midshipman's warrant, and placed him in charge of Commodore Shaw, in command of the fleet of gunboats in the Lake and on the river.†

1811. Before the dissolution of the Florida government it had dispatched Colonel Kemper to the Tombigbee settlements to recruit a force and make a demonstration against Mobile, which was still held by the Spaniards, who exacted very exhorbitant duties on all produce and merchandise passing through that port. Kemper brought commissions for James Hargreaves, J. P. Kennedy and other active and intelligent citizens, and he had the countenance and support of Col.

*This gentleman was subsequently appointed Judge of the parish of St. Tammany, and opened his office at Springfield.

†NEW ORLEANS, Jan. 31, 1811.

To Colonel Fulton, Baton Rouge:

DEAR SIR—The Adjutant General writes you to-day on official business. I have only time to inform you that I have mentioned young Grand-pre to Commodore Shaw, who will receive him immediately as an acting midshipman, until I can obtain his warrant from the Department. I will remember the other brother, and do all in my power to serve him.

Very respectfully, etc.,
WM. C. C. CLAIBORNE.

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James Caller, who was in command of the militia, representative of the district, and then and for many years the most influential man on that frontier. He was joined by Dr. Thomas G. Holmes, a very intelligent and fearless man, with a cross of Indian blood in his veins, by Captain Bernard with a troop of horse, and by numerous well-armed volunteers. From a point then called the White House, near what is now Blakeley, Col. Kemper dispatched Cyrus Sibley with a summons of surrender to the Spanish commandant. Dropping down to Minette bay opposite Mobile, they foraged upon Charles Conway and other persons residing then under Spanish protection. Captain Goss, with a barge loaded with whisky, flour, bacon, etc., sent by the Convention down the Amite and across the lake, arrived at that moment. While waiting an answer to the summons, Kemper's party became demoralized by the too free use of liquor. He dispatched Major Hargreaves with a party in a boat to the mouth of Saw-Mill Creek, on the west side of the river, ten miles above Mobile, while he and his cavalry proposed to join them by way of the cut-off. While Hargreaves and his squad were frolicing in their camp at night, they were suddenly surrounded by two hundred Spanish infantry. Many fell on the first fire, a few escaped, and Hargreaves and nine others were captured and sent to Havana. Cyrus Sibley, the messenger, shared the same fate.*

The intrepid Kemper was not daunted by this misfortune, but, at that moment, the information reached him that the government of West Florida had dissolved and that the American flag was flying at Baton Rouge, and in all parts of the district. He announced to his men that his object was accomplished, and quietly disbanded. He and Col. Caller were soon after, at the instigation of Dinsmore, the U. S. Choctaw agent, an accomplished but mischief-making man, arrested by Judge Toulmin, "for setting on foot a hostile expedition against the subjects of a nation at peace with the United States." This uncalled for proceeding received no countenance from government. Kemper may not have acted strictly in conformity with law, but he was acting under a regular commission from a *de facto* government, and certainly had done no more than the Florida government, which by seizing the Spanish fort at Baton Rouge had brought the country under the American standard—had made it part and parcel of the Orleans territory, and its leaders had been appointed to all the parochial offices by Governor Claiborne, with the approbation of the President of the United States. The act of Judge Toulmin, though strictly legal, was considered officious, extorted no applause from high quarters, and gave a shock to his well-earned popularity. Kemper was regarded everywhere as a liberator and hero.† Caller continued to be the most influential man on the Tombigbee. Had Kemper taken Mobile it would have passed immediately under the American flag as Baton Rouge and the country around had done.

Laws are silent amid the clash of arms. The Spaniards at Mobile

*Governor Claiborne made persistent efforts to obtain the liberation of these prisoners. The government, for political reasons, did not openly interfere, but it permitted Governor Claiborne to send the United States armed brig, Viper, Captain Bainbridge, to Havana, with an application for pardon. This not being granted, he was allowed to send money and clothes for their relief, thus showing at least the animus of our government in relation to Kemper and his men.

†Mississippi has commemorated his name in one of her finest counties.

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were really intruders; were every day levying exactions on the American settlers above; and were known to be intriguing with the British to induce them to occupy the country, and with the Indians to attack our frontiers. It was neither politic or convenient to declare war against Spain, when a conflict with Great Britain was probable, but it would not have witnessed with displeasure the seizure of Mobile by Kemper and his party. None of his associates at Baton Rouge had been prosecuted. They had, on the contrary, been rewarded and honored, and government adopted a very liberal policy in relation to their land claims. Judge Toulmin, therefore, interfered at an unfortunate moment, and was not specially thanked. Not many years afterwards we saw General Jackson, with no better authority than Kemper, seize Pensacola, hoist the flag and imprison the governor, and he was sustained by the government and by the people.*

1810-11-12. At this period the Territory was kept in a state of excitement by events on the frontiers. The Creek Indians, and even the Choctaws, were restless and discontented, under the secret agency of Spanish and British emissaries. To the westward, on what was then

*Harry Toulmin, son of the Rev. Joshua Toulmin, a distinguished Unitarian clergyman, was born at Taunton, England, in 1770. He received a thorough education, and on attaining his majority was licensed to preach. He soon became conspicuous, not only for the ability with which he maintained his theological views, but for the freedom with which he canvassed the measures of government, and in 1793 he found it expedient to migrate to this country. He landed at Norfolk, Va., and there established a seminary of high grade and became an established favorite. While thus engaged, he accepted the Presidency of Transylvania University, Lexington, Ky., but resigned it in 1802, for the office of Secretary of State, under the administration of Governor Garrard. In 1804 President Jefferson appointed him one of the Judges for the Mississippi Territory, a post of great responsibility. Traveling by way of New Orleans and Mobile, he pitched his tent at the "Twenty-one Mile Bluff," then occupied by Dr. Chastang, an educated and polished Frenchman. He found himself widely separated from the western and cultivated quarter of the Territory, the white population rude and uncultivated, and environed on all sides by the Creeks and Choctaws; and Mobile, though a rightful part of Louisiana, occupied by the Spaniards. But this strong-minded and resolute man was equal to the situation, and gradually educated the people into obedience to the laws. In 1805 he established himself at St. Stephens, where the United States Land Office had been opened under Josiah Chambers, and the Factory Store for supplying the Choctaws, under George S. Gaines. His first court was held at Wakefield, some twenty miles below St. Stephens. For a number of years he traversed this wild region twice a year to hold his several courts. He acted as distributing postmaster for all the mails arriving for the Territory at St. Stephens; he often preached and officiated at funerals and marriages; and having studied medical authors a number of years he gratuitously attended the sick. In 1819, when the Mississippi Territory was divided, his judicial functions ceased. The following year he was elected to the Legislature of Alabama, and continued in that service until his death in 1824.

The white population on the lower Tombigbee and Tensaw, consisted mainly of loyalists, who had settled there when Florida was a British province; but they had become thoroughly Americanized and fought bravely and unitedly under our standard, in the war that ensued with the British and Indians. Judge Toulmin rendered eminent service in these wars, as his official correspondence with Governor Holmes, General Flournoy and General Claiborne, shows.

In 1813 Judge Toulmin was elected to the Territorial Legislature. Objection was made to his eligibility on the ground of non-residence in the county from which he had been returned, and because he still held his commission as Judge. The committee reported against him. In the debate that followed, Mr. Shields conceded that actual residence in the county or district was not required by the Ordinance, and that there was no express provision that excluded a Judge from the Legislature; but that the functions of a judge and a legislator were incompatible and irreconcilable, and the precedent was dangerous. Mr. Rankin contended, that where there was no constitutional exclusion, the people had a right to send whom they pleased. Report of the committee sustained; ayes 14, nays 9.

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called the neutral or disputed ground between Natchitoches and the Sabine, a band of adventurers, of various nationalities but chiefly Americans, had established themselves beyond the operation of the laws. They had gone there under the pretext of revolutionizing the Spanish provinces west of the Sabine, but really for robbery and plunder, and soon became known as brigands. Governor Claiborne issued a proclamation commanding them to disperse, and Captain Magee, of the United States army, with a detachment of regulars, was ordered to the Sabine. After restoring order, finding the inhabitants of the adjacent province in a state of insurrection against the Spanish authorities, Magee resigned his commission in the army, and was called, by acclamation, to head the insurrection. This news soon reached the Mississippi Territory, and created great excitement. Col. Reuben Kemper and Captains Ross, Perry, Luckett, Robinson, Deane and Wolforth, with a number of armed followers, hastened to his standard. He was joined, too, by most of the outlaws whom he had recently dispersed. With about five hundred men, Magee marched westward and halted in the town of Goliad, (La Bahia) where the inhabitants gave him a cordial reception. Here he was beseiged by General Salcedo, at the head of the Spanish army, for two months with no definite results, until March, when Salcedo suddenly retreated to San Antonio, the capital of the province. General Magee died about this time. Don Bernardo, a Spaniard, assumed command, but Col. Reuben Kemper was the active leader, and commenced a vigorous pursuit. Marching day and night they overhauled Salcedo, in camp at Salado creek, nine miles from San Antonio, and immediately fell upon him. He fled in confusion, leaving three hundred dead on the field, and the patriots marched in and took possession of the capital.

Governor Claiborne wrote to President Madison:

"The Revolutionists have got possession of St. Antonio, the capital of the Province, and are likely for the present to maintain their position. Their chiefs manifest no disposition to be dependent on the United States, or to grant any peculiar privileges to Americans. Their object seems to be to encourage immigration, to replenish their army with adventurers from all nations, and set up for themselves. They may become useful or very dangerous neighbors. In this uncertain condition, I wish it comported with the policy of our government to take possession of the country to the Rio Grande. The whole is clearly within the limits of Louisiana. During Mr. Jefferson's administration our claim was repeatedly asserted, and I have on my journals sundry official letters addressed by me, as governor of the Orleans territory, (in conformity with instructions) to Spanish officers protesting against their assuming any new military positions on the Bay of St. Barnard, or elsewhere in that quarter."

In the action at Salado and the route of General Salcedo, a number of Spanish officers were captured.*

*General Foote, in his "History of Texas and the Texans," a work of great learning and research, includes among these, Generals Cordero and Herrara, both distinguished officers, who commanded in the Sabine expedition in 1806—two of the most accomplished officers in the service.

I do not, however, find them mentioned in the following letter, written immediately after the affair, by Don Felix Trudeau to Don Stephen Minor, of Natchez:

"NATCHITOCHES, May 7, 1813.

"At last St. Antonio has fallen into the hands of Don Bernardo Gutierez, in command of the insurgents. Salcedo, Corredas and brother, Dominguez, Arcos and his sons, one aged eighteen and the other fifteen, with a number of other

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Colonels Kemper and Ross, and most of the American officers, disgusted with this butchery, withdrew from the enterprise and returned to the United States.* Bernardo remained in command, but exhibited neither energy or ability.

Governor Claiborne wrote (July 9th, 1813,) to the President:

"St. Antoine is still occupied by the insurgents. But the cruel and imprudent conduct of the chiefs has disgusted the people. Bernardo is a tyrant, weak, cowardly and brutal. Since the occupation of the capital he has made no movement, either of organization or invasion. Anarchy prevails and the Royalists are embodying. The rumor to-day is that he has been deposed and that General Toledo, who has appeared there, lately from Philadelphia, will be

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officers who had been captured, or surrendered themselves, and were in prison. On the third day, one Captain Delgado with an escort of eighty men, took them from the prison to remove them, as he said, to the post of Matagorda. When they had marched eight miles they were suddenly surrounded by the command, who cut their throats like so many hogs, and left their bodies on the ground. This savage atrocity was kept a profound secret, and was not known until two days thereafter, a party of Americans passing recognized the bodies and buried them. As soon as this news was brought to Kemper and Ross they bitterly denounced Bernardo. He very cooly replied, 'That if Kemper commanded the Americans he was master of the Mexicans, and should act as he deemed proper.'

"You see from this bloody transaction what may be the fate of those who surrender to the insurrectionists.

"Sambraro and Perez, who refused to surrender, made good their escape with three hundred men."

*This, it is believed, was the last expedition in which the veteran Kemper was engaged. With the infirmities of age, he was beginning to suffer the penalties of a life of excitement and exposure. The following characteristic letter from the late Col. Gilbert C. Russell, 3d regiment U. S. infantry, himself a peculiar and remarkable man, will close the record:

COLONEL RUSSELL TO REV. DR. POTTS.

NATCHEZ, January 29, 1827.

REV. SIR—Col. Reuben Kemper, of Louisiana, who was here on business, died last night. His remains will be consigned to the grave this day at 2½ P. M., of which his friends and acquaintance will be notified by printed cards.

Although I do not know that he belonged to any christian church or sect, or a professor or observer of all the doctrines taught by the Doctors of Divinity, I do know that he daily practiced and carried out many of their teachings the most useful to mankind. Therefore, as one of the friends of the deceased, I request you and the other clergy of this city, to attend his remains to the grave, and render such funeral services as the rules of your church prescribe.

The deceased was an extraordinary man, possessing a vigorous mind, with a large stock of information, and an irresistible resolution and firmness of purpose, which carried him straight ahead to his object, in the attainment of which he always believed himself right. He was a humane master, a kind friend, an affectionate brother—as sincere in his attachments as he was implacable in his resentment, when he felt that he had been injured or betrayed. In every thing he did, he always exercised the utmost candor.

Even in his resentment, which was always felt by those against whom it was directed, he displayed a nobility and openness rarely witnessed in other men. Moreover, he was warmly attached to our government and country, and, in every sense, was a true patriot. In fact, I think with his old friend, Col. John McCarty, of Virginia, who said the other day that, "When Kemper died the race of the old Romans would be extinct."*

Thus, Sir, you have a brief outline of the deceased, for whose virtues I entertain great reverence, whose death occurred remote from family and kindred, and to whose remains I desire every respect should be paid.

With respect, your obedient servant,

G. C. RUSSELL.

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*This gentleman had not long before killed his brother-in-law, General Mason, one of the most eminent Virginians, in a duel. McCarty was the challenged party and the duel was fought with muskets, charged with buckshot at ten paces.

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placed at the head of the revolutionists. But the change is too late. An army of regulars, chiefly from Vera Cruz, estimated at 3,000 men, is advancing on St. Antoine."

Toledo was a Spaniard of talent and distinction, who had embraced the principles of the French revolution, and had been compelled to escape from Mexico. He appeared at St. Antoine directly after Kemper had relinquished the command, and when Bernardo had lost the confidence of his followers. He had no difficulty in obtaining the supreme command, and he had the address to induce Colonel Perry, a gallant American, with a company of his countrymen, to continue in the service. His force was estimated at 1,700, but without discipline, with incompetent officers and inferior arms. Rumors of the approach of the royalists were rife, but no adequate measures were adopted to ascertain their movements or numbers.

Colonel Perry, making a voluntary reconnoisance with his company, was suddenly attacked by the advance of the royal army under General Elisando, some 1500 men, and after a severe engagement was compelled to fall back. Toledo came out with his troops to his assistance, but General Arredondo, with the whole of the royal forces, was by this time in the action, and Toledo, with his undisciplined army, was routed with great slaughter and pursued as a far as Trinity river, where many of the fugitives were slain or drowned.

The revolution was crushed. A letter published in the Mississippi Messenger, from Natchitoches, September 4th, 1813, gives some interesting particulars:

"The royalists were attacked about twenty miles beyond St. Antonio, by the army under General Toledo, consisting of Americans, Spaniards and Indians, amounting in all to about 1250 men. In the commencement of their engagement the republican arms were victorious, and took two pieces of cannon and destroyed a company of cavalry; after which a halt was ordered, with a design of falling back and reforming the lines on an advantageous elevation of ground, and there waiting an attack from the enemy, who had been discovered by two officers to be laying in ambush; but the Americans, actuated by the facility of their former conquests, rushed forward, deaf to the orders of their commanders, and were not stopped until they found themselves encircled by 3000 Spaniards. Those few who were more prudent and obedient, in vain attempted to give them succor, and finding the flower of their army cut off, were forced for the preservation of their own lives to make a speedy retreat, leaving every thing behind. And in this distressed situation have a number arrived at Nacogdoches, where they are rallying and intend making a stand, but I fear it will be in vain; for what can they do after having lost all their ammunition, cannon and provisions? Accounts state that not less than three hundred families have left St. Antonio and Labadia in a most destitute situation—fleeing from the ferocious barbarity of the brutal Aredondo.

Our little town will shortly be crowded with the unhappy fugitives who have escaped with their lives. I dread the spectacle which their wants and distress must present.

The city of Natchez has always been noted for its law-abiding population, its social order, and general conservatism and moderation in the highest party times. Yet all the enterprises for the liberation of the down-trodden people between the Sabine and the Rio Grande, now known as Texas, originated in this ancient and historic city. Magee, Toledo, Childs, Archer, Lamar, Hunt, Green, Chambers, Houston, Quitman—heroic spirits who led the van in the march of freedom—all resided in Natchez, in turn, and here obtained material aid and co-operation. Generals Long and Walker were citizens extensively

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connected by marriage with our community,* and from this point, not daunted by the misfortunes of Toledo, they set forth to aid a people struggling for freedom, and to reclaim for Louisiana a Territory that rightfully belonged to it. This expedition, like all that preceded it, and some that followed, was a failure, ending in the death or dispersion of the parties. But the sacred flame—the holy sympathy—the brotherhood—the "one touch of nature that makes the whole world kin"—was never extinguished in this noble little city, or in any portion of the State. In 1836, led by Quitman and Houston, our citizens marched to the relief of Texas, and in 1850, the sympathy for struggling Cuba was equally demonstrative. Men of large fortune and high station; men holding lucrative offices; men whose whole income accrued from their daily labor—all, alike, with equal alacrity, resigned everything, to rally around the standard of freedom. It was no desire for rapine and plunder—no vulgar fillibustering—no mere sefish passion for personal glory—that inspired this universal enthusiasm. It was something more holy and exalted—an instinct springing from our common humanity, consecrated and supported by a solemn sense of duty.

The ambition was to rescue a weak and struggling people from oppression, and then to plant there, firmly and forever, the glorious banner of our own Republic. And if ever the memorable sentiments of Daniel Webster—"*Liberty and Union; now and forever; one and inseperable*"—inspired a people, it was when the sons of Mississippi marched for Texas, and afterwards enrolled themselves for the liberation of Cuba! The rescue of their fellow-men, and the extension of the area of freedom as part and parcel of our National Union, was the sentiment that swayed the whole community—a sentiment of devotion to a common country and its flag, that was born with us at our birth—that grew with us in our youth and governed us in our manhood, and that was never stronger than when we were forced, by a relentless fanaticism, to take up arms in defence of our liberties and homes.

The seceding States had surrendered more to establish the Union, and had submitted to more sacrifices to maintain it, and loved it better in the agony of separation, than some that remained to fight under its flag! That we erred in seeking a separate nationality, and in adopting another flag, and another constitution, will not be here denied. But it was an error in behalf of freedom, maintained by prodigies of valor, and, as Edmund Burke said, "much must be pardoned to the spirit of liberty." Our contemporaries style it a rebellion. Impartial posterity will recognize it as the act of a free people, exercising the sacred right of insurrection against oppression, and will consider it a civil war between sovereign States.

The South stood upon a platform which had been constructed by our fathers, and which was universally recognized until overthrown by the sword. The feeling of her people was—

"God judgeth for the best.
God help us do our duty and not shrink,
And trust in heaven humbly for the rest."

*General Long had been an army surgeon. He married Miss Wilkinson, of Washington, Adams county, connected with the Graysons, Chews, Calvits and other Maryland families in that vicinity. General W. W. Walker was a member of the bar—a brilliant and elegant man—married the daughter of Mr. Job. Routh, of Natchez.

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There were great errors, on both sides, for years preceding the mighty conflict; much that we now see should not have been done: much to deplore and to condemn; but those who are to come after us, in possession of all the facts, will not return a verdict of "Guilty' only against the South! Both sections poured out their blood like water, for what they believed to be the Right. And on the tombs of the brave men of both armies, who fell on so many stricken fields, should be inscribed the words that commemorate those who died at Thermopylæ:

> "Go, traveler, and in Lacedæmon tell
> Here, in obedience to her laws, we fell."

Not one Southern man who fought; not one who perished in battle, in prison or hospital, believed himself a rebel, and those who use the term, insult patriots and trample on the ashes of brave men Unfortunately, those who made the quarrel and forced the issue—the political and ecclesiastical incendiaries—did not do the fighting, but men whose fathers had stood shoulder to shoulder in defense of our common flag—men of the same lineage and the same sympathies, now under hostile colors, insanely met in the shock of battle.

May God pardon those that sinned, and in His own good way, and his own good time, convert the fratricidal strife into a National Blessing.

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CHAPTER XXVII.

GOVERNOR HOLMES entered his office (1812) when there was a probability of war with the Indians, and with Great Britain and Spain. The agents of both those powers were instigating the Indians from the Canada frontier to the Gulf of Mexico, to attack the American settlements. In 1811 the celebrated Shawnee chief Tecumseh, with a party of thirty warriors, in British pay, visited the southern tribes. He found the Chickasaws firmly attached to the Americans. A number of them had fought under Wayne against the Shawnees and other northern tribes in the British interest, and they were not to be shaken in their fidelity. The Choctaws, particularly the lower towns that were in frequent communication with the Creeks, and the Spaniards at Pensacola, were manifestly discontented. He put himself in communication with the Spanish authorities, and then traversed the Seminole country, rousing those fierce savages to the highest state of excitement. Entering the Creek territory he harangued the warriors at Autauga and Coosanda, and the Hickory Ground. Wherever he went crowds attended, painted for war, and dancing the war dance. Those of the tribe who disapproved these demonstrations were taunted with cowardice, beaten, plundered, and, in some instances, murdered. In fact, this dangerous emissary had fomented civil war. In October the annual grand council of the nation, in pursuance of immemorial usage, assembled at the ancient town of Took-a-batch-a. These councils were always attended by the U. S. Agent, by all the traders, by many strangers, and by the warriors and their families. On this occasion the fame of Tecumseh's visit, and his expected address, had assembled some 5,000 persons, at Took-a-batch-a.

The day after the council met TECUMSEH, with his band of warriors, marched to the centre of the square, and stood still and erect as so many statues. They were dressed in buck-skin hunting shirt and leggins fitting closely to the person, with a profusion of silver ornaments. Their faces were painted red and black. Each warrior carried a rifle, tomahawk, war-club and scalping knife. "They were," says Capt. Sam Dale, "the most athletic body of men I ever saw." Tecumseh was about six feet high, well put together, not so stout as some of his followers, but of an austere countenance and imperial mien.

The Shawnese made no salutation, but stood facing the council-house,

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not looking to the right or the left. Throughout the vast assembly there was a dead silence. At length the Big Warrior, a noted chief of the Creeks, a man of gigantic figure, slowly approached and handed his pipe to Tecumseh. It was passed to each of his followers, and then the Big Warrior, not a word having been spoken, pointed to a large cabin, which had previously been furnished with skins and provisions. Tecumseh and his band marched to it, and were seen no more until night when they danced the northern war dance. The Creeks crowded around, but not a word was spoken. Every morning a Shawnee warrior presented himself at the Council and announced that his chief would deliver a talk at noon, but at that hour he appeared again, and declared that "the sun had traveled too far," and the talk would be delivered next day. At length Hawkins, the United States Agent for the Creeks, becoming impatient, left the ground, declaring that Tecumseh was a sham, and that he, H., could easily control the Indians. The next day at noon the Shawnese issued from their lodge. They were painted black, and entirely naked except the flap about their loins, and a small tobacco pouch suspended under the left arm. Every weapon but the war club, then first introduced among the Creeks, had been laid aside. An angry scowl sat on all their visages. They looked like a procession of devils.

Tecumseh led, the warriors followed, one in the footsteps of the other. The Creeks, in dense masses, stood on each side of the path. The Shawnese noticed no one but marched to the pole in the center of the square, and then wheeled to the left. At each angle of the square Tecumseh took from his pouch some tobacco and sumac, and dropped it on the ground. His warriors did the same. This they repeated three times as they marched around the square. Then they approached the pole in the center, circled around it three times, and facing the north threw tobacco and sumach on the small bark fire that had been made, as usual, at the foot of the pole. They then marched in the same order, to the Council, or King's house, as it was termed in ancient times, and drew up before it. The Big Warrior, and the leading men, were sitting there. The Shawnee chief sounded his war-whoop, a most diabolical yell, and each of his followers responded. Tecumseh then presented to the Big Warrior a wampum belt of five different strands, which the Creek chief handed to his colleagues, and it passed round the circle from hand to hand. The Shawnee pipe was then produced; it was large, long, and profusely decorated with shells, beads, eagle feathers and porcupine quills. It was lighted from the fire in the center, smoked by Tecumseh and his followers, and then handed to the Big Warrior who, after a whiff or two, passed it around the circle.

All this time not a word had been uttered. Everything was still as death; even the winds slept and the leaves had ceased to rustle. At length the Shawnee spoke, at first slowly and in guttural tones; but soon he grew impassioned, and the words fell in avalanches from his lips. His eyes burned with supernatural lustre, and every limb and muscle quivered with emotion. His voice resounded over the square, now sinking into low and musical whispers, now rising to its highest key, hurling out his words like crashing thunder-bolts. His countenance varied with his speech. The prevalent expression was of hatred and defiance; sometimes a murderous smile; occasionally an

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aspect of profound sadness; and at the close a look of concentrated vengeance. His vocal powers and command of the countenance and the facial muscles, were unequalled.

An intelligent witness declares that a deaf man could have interpreted the harangue, from the play of his face. Its effect on that wild, superstitious, untutored and warlike assemblage, may be conceived. Not a word was uttered when he closed; no one applauded; no one replied; but a thousand warriors, the "stoics of the woods," shook with emotion, and many a tomahawk was brandished in the air. Even the Big Warrior (who thus far had discouraged the war-party) was visibly affected, and more than once was seen to clutch, spasmodically, the handle of his knife.

All this was the effect of delivery, for though the mother of Tecumseh was a Creek, and he was familiar with the language, he spoke in the Shawnee dialect, and it was afterwards rendered by a linguist. Tecumseh spoke one hour, but the speech may be thus compressed:

"In defiance of the warriors of the dark and bloody ground, once our favorite hunting range, I have come from the great lakes of the North, and passed through their settlements like the wind at night. No war-whoop was sounded, no track was made, no fire was kindled, but see! there is blood on our war clubs!

The pale faces felt the blow, but knew not whence it came.

Accursed be the race that has made women of our warriors, and harlots of our women. They have seized our country, and our fathers in their graves reproach us as slaves and cowards. Listen! Do you not hear their voices in the wailing winds?

The Muscogees were once a mighty people. The pale faces trembled at your war-whoop, and the maidens of my tribe, on the distant lakes, sung the prowess of your warriors, and sighed for their embraces. And when our young men set out on the war-path the Shawnee sachems bade them 'be brave like the Muscogee!'

But now your blood has become white; your tomahawks have no edge; your bows and arrows were buried with your fathers. You sleep while the pale face ploughs over their tombs, and fertilizes his fields with their sacred ashes.

Oh, Muscogees! Brethren of my mother! Brush from your eyelids the sleep of slavery, and strike for vengeance and your country!

The red men have fallen as the leaves now fall. I hear their voices in those aged pines. Their tears drop from the weeping skies. Their bones bleach on the hills of Georgia. Will no son of those brave men strike the pale face and quiet these complaining ghosts?

Let the white race perish!

They seize your land; they corrupt your women; they trample on the bones of your dead!

Back whence they came, upon a trail of blood, they must be driven!

Back—aye, back into the great water whose accursed waves brought them to our shores!

Burn their dwellings—destroy their stock—slay their wives and children, that the very breed may perish.

War now! War always! War on the living! War on the dead! Dig their very corpses from their graves. The red-man's land must give no shelter to a white man's bones!

This is the will of the Great Spirit, spoken in the ear of my brother, the mighty Prophet of the Lakes. He sends me to you.

All the tribes of the North are dancing the war dance. Two mighty warriors across the seas will send us arms—at Detroit for us, at Pensacola for you.

I will soon return to my country, to wash my hands in the blood of the pale face. My prophets shall tarry with you. They will stand by your side and catch the bullets of your enemies. When the white men approach your towns the earth shall open and swallow them up.

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Soon shall you see my arm of fire stretched athwart the sky. You will know that I am on the war-path. I will stamp my foot and the very earth shall shake.*

When he finished, the northern pipe was lighted at the same fire and passed round in solemn silence. The Shawnees then gave one appalling yell, and commenced their tribal war-dance, going through the evolutions of battle, the scout, the ambush, the surprise, the deathly struggle, brandishing their war-clubs, and screaming in terrific concert, an infernal pantomine and harmony fit only for the regions of the damned!

The white traders and the peaceably disposed Indians left the ground immediately after the delivery of this speech. It was no longer safe to remain. "Yet Colonel Hawkins, the United States agent," says Pickett in his valuable history of Alabama, "seems to have been strangely benighted, slowly allowing his mind to be convinced that anything serious was meditated." He had resided many years among the Creeks, and early conceived the laudable notion of teaching them the arts of civilization. In his communications to the Indian Bureau he flattered himself that they emulated the progress of the whites, and that the whole nation, except a few fanatics without influence, sincerely desired peace. Even after the Creeks and Shawnese had visited Pensacola, to obtain powder and lead, to attack the Tensas settlements, Colonel Hawkins assured the Secretary of War and Major-General Flournoy that there was no danger.

Unfortunately, the War Department, and government itself, was then most feebly conducted. President Madison, a man of clear head and logical mind, was better fitted for a professor's chair than for the position he occupied. He was deficient in nerve; was easily intimidated; was a poor judge of men, and filled many first-class offices with incompetent persons. The War Department particularly, which, at that period, demanded the utmost vigor, energy and system, manifested singular apathy and incapacity.

1812. July 16th, Governor Holmes, on a requisition of General Wilkinson, ordered a draft of the militia, a certain quota from each regiment, to rendezvous at Baton Rouge, to be organized into a brigade. Col. Ferdinand Leigh Claiborne† was commissioned Brigadier General to command them.

August 18th, General Claiborne reported that the quota had been obtained from the 1st, 2d, 3d, 4th, 10th, 11th and 13 regiments, *by voluntary enrollment.*

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*Before the battle of Ecannachaha, or the holy ground, the Shawnee prophets assured the Indians that the earth would swallow up Governor Claiborne and his troops. The British officers at Detroit had informed Tecumseh that a comet would soon appear, and the earthquakes of 1811 had commenced as he came through Kentucky. When the comet soon appeared and the earth began to tremble, the Creeks attributed to him supernatural powers, and a large majority took up arms.

†Pickett, in his History of Alabama, says: "This officer, a native of Virginia, brother of Governor Claiborne, of Louisiana, was appointed by President Adams an Ensign in 1st Regiment, U. S. Infantry, Col. John F. Hamtramck. Promoted Lieutenant for gallantry in Wayne's great battle with the Indians. Subsequently at Pittsburg, Fort Washington, Greenville and Detroit, with rank of Captain. Resigned in 1805 and removed to Natchez. Repeatedly elected to the Legislature, and presided as Speaker. Conducted the Mississippi battalion to the Sabine. Appointed Brig-General, 1813. Fought the battle of the Holy Ground, December 23d, 1813. Died suddenly near Natchez of exposure on the frontier and the closing of an old wound in 1815.

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The brigade was conducted to Baton Rouge and there kept for want of transportation until June 28th, 1813, when General Claiborne was ordered by Major General Flournoy (who had succeeded Wilkinson) to march for Mount Vernon, on the Alabama river, "to repel any attack that may be made on any part of the frontier of the Mississippi Territory, either from Indians, Spaniards or English. You will put yourself in communication with Lt.-Colonel Bowyer, who commands at Mobile and Mobile Point, who will give you the earliest information of any movement by the English or Spaniards. *The defence of the town of Mobile will be your principal care.*"*

Mobile, it will be remembered, had long been occupied by the Spaniards, and the American government, whose foreign relations were very precarious, had submitted to the occupation, and to the ex actions imposed there on our commerce. But finding that the Tombigbee settlers could not much longer be restrained, and that the Spaniards were likely to invite the British to a joint occupancy, the War Department, at last, under the authority of an act approved February 12th, 1813, passed by Congress, in secret session, had authorized General Wilkinson to proceed against it.

He made his arrangements with secrecy and dispatch, to prevent the fort being reinforced from Pensacola. On the 8th of March, Commander Shaw, with the general and his troops on board his fleet, arrived at Dauphine Island, where they seized the Spanish guard and a Spanish transport from Havana, with supplies and a company of artillerists for the post of Mobile. The first intimation the garrison had was from the American drums. Being short of provisions and ammunition, the Spanish commandant deemed it best to capitulate, after having received the following courtly summons from the American general:

BEFORE MOBILE, April 12.

"SIR—The troops of the United States do not approach you as the enemies of Spain, but by order of the President they come to relieve the brave garrison which you so worthily command, from the occupancy of a post within the legitimate limits of the United States. I hope that you will peacefully retire from Fort Charlotte, and from the Mississippi territory, to the eastern side of he Perdido river."

The evacuation was completed in a few days, and Colonel Constant, of the 3d regiment of infantry, was placed in command.

1813. In compliance with orders General Claiborne marched from

*Major General Thomas Flournoy was a distinguished lawyer of Augusta, Ga., an accomplished gentleman, of high personal character, and a devoted patriot. General Wilkinson, while busily engaged fortifying the approaches to New Orleans, was suddenly ordered to the Canada frontier, and General Flournoy succeeded him in the command of the Seventh military division. He has been censured for inaction and indecision. His health was feeble and he had little military experience. But the prime source of his failure was the want of support at Washington. His force was wholly inadequate to the demands upon him. He was often without funds. He was likewise early misled by the representations of Colonel Hawkins of the "advanced civilization" and "pacific disposition" of the Creeks. Even after the massacre at Fort Mims, Colonel Hawkins reiterated these assurances, laid the blame of that affair on the Tombigbee people, and declared that the war would be "a civil war among the Creeks and not on the whites," if let alone. Unfortunately General Flournoy adopted these views, and forbid any aggressive movement on the savages. He was paralyzed, too, at every stage of his command, by the feebleness and incompetency of the War Department.

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Baton Rouge, June 28th.* He had six hundred men to transport, and no assistance was furnished him but a draft for $200 00. His teams, medicines, and forage, were procured on his own responsibility with funds advanced by Messrs. John and Stephen Minor, of Natchez, and William Kenner, of New Orleans. His supplies were obtained from his friends Colonel Nelson, H. M. Harper, Thomas Waggoner, and other patriotic citizens of Amite county. It was a season of heavy rains and high waters, many swollen rivers and streams to cross, and it was the thirtieth of July when they reached Mount Vernon. While he was on the march, it having been ascertained that some four hundred of the war party, led by Peter McQueen, Josiah Francis, and High-Head Jim, had gone to Pensacola, for arms and ammunition, Col. James Caller, the senior militia officer on that frontier, determined to intercept them on their return. One hundred and eighty volunteers, including such men as Patrick May, G. W. Creagh, Zacharia Philips, Wm. McGrew, Majors McFarlin, Wood, Jourdan, and Captains Smoot, Dale, Bailey, and Bradberry, repaired to his standard. Early on the morning of

*BRIGADE OF LOUISIANA AND MISSISSIPPI TERRITORY VOLUNTEERS AND STAFF AND COMMISSIONED OFFICERS OF THE REGIMENT OF MISSISSIPPI TERRITORY VOLUNTEERS.

12* August, 1813.

Ferdinand L. Claiborne, Brigadier General; Alexander Calvit, First Lieutenant and Aid; Joseph P. Kennedy, Captain and Brigade Major; Joseph Carson, Colonel; George T. Ross, Lieutenant Colonel; Daniel Beasley, Major; William R. Deloach, First Lieutenant and Adjutant; Benjamin F. Salvage, First Lieutenant and Quartermaster; John Ker, Surgeon; Benjamin F. Harney, Surgeon's Mate; William R. Cox, Surgeon's Mate; John Nelson, Captain; Joseph P. Kennedy, Captain; Louis Painbœuf, Captain; Philip A. Engle, Captain; Archilaus Wells. Captain of Dragoons; Randal Jones, Captain; William Jack, Captian; Gerard C. Brandon, Captain; William C. Mead, Captain; Benjamin Dent, Captain; Hatton Middleton, Captain; Abraham M. Scott, Captain; James Foster, Captain; L. V. Foelckil, Captain; Charles G. Johnson, Captain; Hans Morrison, Captain; James Baily, First Lieutenant of Dragoons; Richardson Bowman, First Lieutenant: Audly L. Osborn, First Lieutenant; William Morgan, First Lieutenant; George P. Lilly, First Lieutenant; John D. Rodgers, First Lieutenant Dragoons; William R. Deloach, First Lieutenant; Theron Kellogg, First Lieutenant; Andrew Montgomery, First Lieutenant; John Camp, First Lieutenant; Alexander Calvit, First Lieutenant; John Allen, First Lieutenant; Robert Layson, First Lieutenant; Benjamin F. Salvage, First Lieutenant; Charles Moore, Second Lieutenant; Charles Barran, Second Lieutenant; Spruce M. Osborne, Second Lieutenant; Nicholas Lockridge, Second Lieutenant; Robert C. Anderson, Second Lieutenant; James M. Arthur, Ensign; John Files, Ensign; George Dougharty, Ensign; Wm. R. Chambliss, Ensign;† Thomas C. Vaughn; Ensign Robert Swan, Ensign Stephen Mays, Ensign; James Luckett, Ensign; George H. Gibbs, Ensign; Elbert Burton, Ensign; David M. Calliham, Ensign; Young R. McDonald, Ensign; Benjamin Blanten, Ensign; Benjamin Stawell, Ensign; William S. Britt, Ensign; Isaac W. Davis, Ensign; Benjamin Bridges, Second Lieutenat Dragoons; John Cohn, Cornet; Kean Caldwell, Second Lieutenant Dragoons.

†Was at Fort Mims—received three wounds, but escaped and died ten years afterwards at Port Gibson, Mississippi.

OFFICERS OF MISSISSIPPI REGIMENT MILITIA UNDER COL. GEO. H. NIXON, MOUNT VERNON, DECEMBER, 1813.

Robert Twilley, John Lowry, Parmenas Briscoe, Samuel Batchelor, G. Y. Glassburn, Captains. These troops were chiefly from Claiborne and Amite counties, and the officers were young men of high character. Colonel Nixon greatly distinguished himself during the war, and stood high in the confidence of General Jackson. He was subsequently appointed Brigadier General, and died at Pearlington, Hancock county.

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July 27th, his scouts reported that the Indians (with some three hundred loaded pack horses,) were encamped in a bend of Burnt Corn Creek, and were then engaged in cooking. Colonel Caller promptly formed his party and charged the camp. The Indians stood their ground bravely for a few minutes, gradually falling back to the creek. Another concentrated charge, and they would doubtless have fled in confusion, and been slaughtered in great numbers while crossing the stream. But at that moment the word "*retreat*" was sounded in our lines—by whom given was never known—but it produced a panic, and most of the command fell back, in disorder, and retired precipitately, not forgetting, however, to drive off the Indian pack horses. Observing this, the Indians boldly renewed the attack, but they were met by a party of about eighty men, with Colonel Caller and other officers, and a desperate fight ensued, but the small party of whites finding themselves overpowered, were compelled to retreat. Many young officers signalized themselves in this action by great personal heroism.

Colonel Hawkins, Creek agent, even after this demonstration of the hostile intention of the Creeks, represented to General Flournoy, that they did not mean war, although they had seized and destroyed the property of the friendly half-breeds and murdered many of the leaders of the peace party, and he charged the white people of the frontier with having provoked hostilities. Such was the impression he made on Major-General Flournoy, it defeated every appeal of General Claiborne for reinforcements, and for permission to march into the heart of the nation. After the battle of Burnt Corn, and only six days before the fall of Fort Mims, the commanding general thus wrote to General Claiborne:

HEADQUARTERS BAY ST. LOUIS, August 25, 1813.

SIR—Your letters and documents, by express, have been received. As I have already written you, and likewise Governor Holmes, very fully on Indian affairs, I will not now go into farther details. A recent letter from Colonel Hawkins (a copy herein enclosed,) will show the situation of the Creek Indians. *They must finish their civil war before they can go to war with us.* And it is by no means certain that the war party will succeed in overpowering the party friendly to us."

Among the documents sent to General Flournoy, were several letters from the Spanish governor of Pensacola to Peter McQueen, showing their relations with the Indians, and the following letter from General Wilkinson, as he passed through the Creek Nation for Canada. But having embraced Colonel Hawkin's opinions, they, unfortunately, made no impression on General Flournoy:

GENERAL WILKINSON TO JUDGE TOULMIN.

SAM. MANAC'S, CREEK NATION, June 29, 1813.

MY DEAR SIR—Your favor of the 22d, reached me near this place, surrounded by dangers; but I am too far advanced to retreat. Indeed, I dare not turn my back on reports, and, therefore, shall proceed this evening, to Catoma, and to-morrow to Doyle's, where I expect to see the Big Warrior, who has begged an interview with me. He has been entrenched against the war party a week or ten days and lives in fear of his life, as his antagonists are daily making converts and increasing in strength, with the avowed intention to destroy him and all who have been concerned in the execution of the murderers; after which, it is believed by all with whom I have conversed, they expect to intimidate the rest of the nation to join them, and then it is their intention to make

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war on the whites. This seems to be the general impression; but no one can tell or even guess where a blow will be struck.

To effect the object at which they aim, they have had recourse to religious imposture. One Joseph Francis, who lived on the road, pretends he has had a visit from the Lord, who has revealed many things to him, which are shaped and detailed in the manner most impressive on his barbarian auditors. But in aid of superstitious awe manual force is employed to convert the obdurate and unenlightened, and in course of this latter argument, a son of McGilvray, a son of the Singer, and a nephew of Isaacs the Chief, have been actually killed.

At this place, I am assured by Manac and Ward, who are living in the woods and watching the plantation, that Francis and his followers, to the number of more than three hundred, are assembled at a camp on the Alabama, eight miles below the mouth of Pithlula Creek, and about sixteen above the big swamp. The last information received of their doings was on Wednesday, by Ward's wife, (who has been forced from him with her children.) She reported that the party thus encamped, were about to move down the river to break up the half-breed settlements and those of the citizens in the forks of the river. I know not what stress to lay on these wild reports, but the whole road is deserted —the Indians are all assembled, and their villages ahead of me, many towns on the Alabama and Tallapoosa and Coosa, are deserted, and consternation and terror are in every countenance I meet.

I have considered it proper you should receive this information, and, therefore, I send back Weatherford with this information for your government, and will barely observe, that I think the volunteers should be called up to your frontier, without a moment's delay.

We are in good health and spirits, our dangers notwithstanding. Mrs. W. is acquainted with every circumstance, yet insists on braving the danger rather than return.

I have about twenty armed men, and our cavalcade consists of about forty persons. Our horses and carriages are in good order, and if we are not obstructed, we shall cross the Chattahouchie on the 29th.

Colonel Hawkins is profoundly silent. Alexander Cornels has fled the country, and *I cannot hear of any preparation to succor the Big Warrior. I fear that Hawkins' government will be found too feeble to bind a herd of savages,* unless the arm of the Union is interposed.

Truly yours,

JAMES WILKINSON.

Hon. Judge Toulmin, Fort Stoddert.

1813. General Claiborne arrived at Mount Vernon, on the Alabama, July 30th. He found the country greatly alarmed and distressed. The flourishing settlements on the Tensaw, on the Alabama, and Tombigbee, had been abandoned. The crop everywhere was ready for the harvest, and unless gathered and secured, famine and pestilence would be superadded to the horrors of Indian warfare. He put himself in communication with the most intelligent citizens in every quarter, and since the commanding general persistently refused his appeal to march against the Indians, he determined, on his own responsibility, to distribute his brigade for the protection of the people, at least until they could save their crops. The citizens of the different settlements, aided by the local militia, had erected stockades or forts, here and there, and had sought shelter therein.

On the 23d August an express from Colonel Carson, commanding at Fort Madison, brought news to General Claiborne that a Choctaw, who was personally known to Colonel McGrew and Captain Cassity, and vouched for by them, had brought the information that Fort Easely, on the Tombigbee, the most advanced and feeblest of the stockades, was to be immediately attacked, and he offered to remain in custody at Fort Madison in support of his statement. Captain Cassity certified that he had received the same information from John

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Walker, a white man, residing on the Choctaw line. Captain George S. Gaines, United States Factor for the Choctaws, communicated the same rumor in a letter to Judge Toulmin, and the remote and feebly defended position of the fort, crowded with women and children, and only ten or twelve men to defend them, indicated it as the first point to be attacked. On the same day, General Claiborne advised the officers in command of the respective stockades of the intelligence, and the necessity of increased vigilance. And, in the afternoon, with eighty men, he set out for Fort Easely, considering it the most exposed, and therefore his proper position. From Fort Madison, on his route, he dispatched another express to Major Beasely, at Fort Mims, enjoining the utmost circumspection. This letter was received on the 29th August. On the 30th, soon after roll-call, Major Beaseley made the following report to General Claiborne:

MIMS BLOCK HOUSE, August 30th, 1813.

SIR: I send enclosed, the morning reports of my command. I have improved the fort at this place, and made it much stronger than when you were here. Pierce's stockade is not very strong, but he has erected three substantial blockhouses.* On the 27th, Ensign Davis, who commands at Hanson's Mill, wrote me: "We shall, by to-morrow, be in such a state of defense that we shall not be afraid of any number of Indians."

There was a false alarm here yesterday. Two negro boys, belonging to Mr. Randon, were out some distance from the fort minding some beef cattle, and reported that they saw a great number of Indians painted, running and whooping towards Pierce's Mill. The conclusion was that they knew the Mill-fort to be more vulnerable than this, and had determined to make their attack there first. I despatched Captain Middleton with ten mounted men, to ascertain the strength of the enemy, intending, if they were not too numerous, to turn out the most of our force here and march to the relief of Pierce's Mill. But the alarm has proved to be false. What gave some plausibility to the report at first, was that several of Randon's negroes had been previously sent up to his plantation for corn, and had reported it to be full of Indians committing every kind of havoc. But now I doubt the truth of that report.

I was much pleased with the appearance of my men at the time of the alarm yesterday, when it was expected every moment that the Indians would appear. They very generally seemed anxious to see them."

Two hours later, the express having been detained, Major Beasely wrote a a second note to the general, assuring him of his "ability to maintain the post against any number of Indians."

A strong party of Indians actually set out to attack Fort Easely, but were deterred by the unexpected arrival of General Claiborne. While engaged in strengthening the stockade, he received an express from Captain Kennedy, in command at Mount Vernon, with the astounding news of the fall of Fort Mims, and the massacre of the garrison—on the 30th August—the very day on which Beasely had written his last letter, and transmitted his morning report—with the assurance that he was fully prepared for any number of Indians! On that same day, when his courier rode out with this satisfactory assurance, one thousand warriors, led by McQueen, Weatherford and Josiah Francis, lay in ambush in a deep ravine, within a few hundred

*Pierce's Mill was one mile from Fort Mims. There was a large quantity of lumber there intended for government use at Mobile, and forty men were stationed there under Lieutenant Andrew Montgomery, of the Mississippi Volunteers. The Indians, strange to say, did not attack it. When Lieutenant Montgomery discovered that Fort Mims was on fire, he evacuated the station and safely conducted his detachment to Mount Vernon.

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yards of the eastern gate. At 12 M., when the drum in the fort was beating the dinner signal, and the gate was wide open, they rushed to the attack. They got within thirty paces of the fort before they were discovered! Major Beasely, with the courage of despair, ran to the outer gate to close it, and received half a dozen balls in his breast the moment he reached it. Captain Middleton and his company were posted at the inside eastern gate, and there, nearly to a man, they fell. Captain Jack, with his riflemen, was posted in the south bastion, Lieutenant Randon in the guard-house, and Captain Dixon Bailey behind the northern line of pickets. The Indians assailed all these positions simultaneously, and through the port holes poured a constant fire on the frantic women and children, whose wild shrieks rose above the yells of the savages and the clamor of battle. By this time the buildings were on fire, and every officer had fallen except the brave half-breed Captain Dixon Bailey, and all the soldiers were dead or wounded. As the Indians rushed in and commenced to massacre the wounded and the women and children, Bailey, Dr. Holmes, Lieutenant Chambliss and two or three others, all wounded, made their escape. Captain Bailey soon died, the others finally reached Mount Vernon. Half a dozen other fugitives subsequently came in.

General Claiborne could hardly realize the shocking intelligence. On the 7th August, he had personally inspected the works, and had left a written order with Major Beasely "to strengthen the picketing, build two more block houses, respect the enemy, to send out scouts frequently, and allow the suffering people provisions, whether whites or friendly Indians." Expresses passed between them once a week. On the 25th August, he had, from Fort Madison, specially recommended to the Major the utmost vigilance, and on the fatal 30th, that officer had assured him of his ability to repel any attack. The whole testimony, documentary and the statements of the few survivors, shows that Major Beasely was brave to desperation; that he held the Indians in contempt; was angry at what he considered false alarms, and as a taunt and derision to the timid, had the main gate thrown open.*

Before Major Beasely and his command reinforced the fort, and before General Claiborne reached Mount Vernon, Colonel Carson had sent Lieutenant Osborn and twenty men to Mims, and on the 28th July, he reported, "this stockade is in good condition, and I am sure it will be well defended." On the 30th August, the morning report shows that there were one hundred and five men on duty in the fort, and thirty-five at Pierce's stockade, one mile off, under the orders of Major Beasely. Never men fought better—never officers displayed more heroism; but all was unavailing, and nearly all perished. The whole number in the fort was two hundred and seventy-five, of whom not more than fifteen escaped. The Indians buried many of their dead, but left one hundred and nine bodies on the field, and fifty afterwards died of their wounds at Burnt Corn Spring.

The effective force in the fort, on the morning of the attack, was

*The gate must have been open several days before the attack. Pickett, in his History of Alabama, says: "Major Beasely rushed, sword in hand, and essayed in vain to shut it. The sand had washed against it and it could not be shut."

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greater than was ever concentrated in any one of the stations in Kentucky, or in the Northwestern Territory, to resist an attack of the Indians.

In the old Cherokee war, fifteen men in a stockade, near Nashville, repelled four hundred savages.

In Wayne's campaign, Fort Recovery, on St. Clair's battlefield, far in advance of Fort Greenville, was deemed safe with one company of infantry, and was not attacked.

Forts Hamilton, St. Clair and Jefferson seldom had more than one company, and often only a subaltern's command.

In the last war with the British and Indians, Fort Chicago, on the Illinois, was successfully defended by fifty men against an overwhelming force of Indians, until it was evacuated by order of General Hull.

Fort Madison, besieged by over four hundred Potawatomies, was successfully defended by thirty men. And about the same time seventeen regulars, in a small post at Bellefontaine, repelled a similar attack.

In 1812, Fort Harrison, Indiana, was besieged by a large body of savages, led by the Prophet. A breach was made in the defences by the burning of a block house. One company, of which only fifteen men were able to do duty, defended it for ten days. Of the fifteen two attempted to escape, clambered over the pickets and were shot. This heroic defence was made by Captain, (afterwards President,) Taylor.

On our own frontier, after the fall of Fort Mims, Lieutenant Bailey, with twelve men, successfully defended Sinkfield station in the Forks, against one hundred Indians, under the prophet Francis.

Educated in the tactics of Wayne, one of the most impetuous, yet cautious commanders, and with these precedents of Indian warfare, General Claiborne could scarcely credit the fall of Fort Mims. Rumors of a hostile movement of the Indians had been received everywhere; had occasioned vigilance and circumspection; had induced the general to repair to the most advanced post; had called from him an emphatic warning to his officers; had made a deep impression everywhere but at the fated stockade. The brave man who commanded there, unfortunately construed the last admonition of his general as superfluous and over-cautious; discredited the local alarms, and, as the morning report shows, had six of his soldiers absent on permit, so little did he apprehend danger. Never did an officer more bravely seek to redeem his fatal over-confidence. He fell at the gate, in the blaze of a thousand rifles. Never men fought better, but such was the advantage given to the enemy, by neglecting the most obvious precautions, all their bravery was thrown away.

With a bleeding heart, the General ordered Captain Kennedy to bury the dead. On repairing there he found thousands of buzzards and hundreds of dogs, as wild and ferocious as wolves, devouring the rotting remains.

This terrible tragedy spread consternation through the Territory. On the immediate frontier, the whole population fled to the stockades, leaving their abundant crops ungathered. No one knew where the next blow would fall, and a coalition of the Creeks and Choctaws was generally apprehended. The citizens on Chickasawha and Pearl

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rivers erected stockades. The alarm penetrated to Baton Rouge, St. Francisville, Natchez, Port Gibson, Winchester and Walnut Hills, and strong Committees of Vigilance and Safety were organized.*

When the news reached Tennessee, the Legislature immediately authorized a call for fifteeen hundred volunteers, and pledged the revenues of the State for one hundred years to pay their expenses! And it authorized the Governor to borrow money for the expedition wherever he could get it. He drew a note for $20,000, endorsed by Wm. G. Blount, John Russell and Enoch Parsons, (author of the resolution,) and the old State Bank discounted it.

Thus, by this martial and patriotic people, who have never flinched on any battlefield, was inaugurated the movement of General Jackson into the Creek nation, which resulted in that series of victories that have no parallel in Indian warfare—victories which demonstrated the superiority of the white man, but left no dishonor on his brave antagonist.

Governor Holmes likewise made every effort in his power. September 2d, 1813, he called for a draft of five hundred men from the militia, and the several cavalry companies to hold themselves ready for marching orders. In three days the Jefferson troop, Captain Dougherty, with sixty men, reported at Headquarters, and set out immediately for the frontier, followed next day by Captain Bullin's and

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*PORT GIBSON, September 18th, 1813.

At a meeting held at Port Gibson, in Claiborne county, for the purpose of taking measures for the public safety of said county, Colonel Daniel Burnett was called to the Chair, and Jefferson H. Moore appointed Secretary.

On motion of H. Blennerhassett,

Resolved, That a committee, to consist of seven persons, be appointed to enquire into the foundation of the late alarm; and also to recommend and report such means as they think best calculated for our defence.

The following gentlemen were appointed members of said Committee, viz: Major Clarke, H. Blennerhassett, H. Harmon, Colonel Ragan, Captain P. Briscoe, W. Briscoe and Thomas Barnes, who made to the meeting the following

REPORT.

That, From the best information they can obtain, the late alarm of invasion on the frontiers of this county by a savage enemy, has been groundless and unfounded. But a crisis is at present arrived, at which it is no longer doubtful that such a calamity ought to be expected and provided against by a system of defence the most speedy in its creation, and effective in itself.

That, For this purpose, the Committee recommend the erection of three stockade forts at three points to be viewed and determined upon by a committee on the frontier; also one strong fort to be erected in such central part of the county as shall be fixed upon by a committee. The Committee think that other dangers to which the county is exposed, from a local source, as well as from savage invasion, should cause the erection of all the forts at one and the same time.

Your Committee further recommend to such planters as can conveniently, by their own force and that of neighbors, within convenient distance, the erection of local block houses on their plantations.

They invite and recommend every voluntary aid their fellow-citizens can lend to the militia duty, of keeping up a regular and constant party of rangers and spies on the frontiers.

DAN'L BURNETT, Chairman.

JEFF. H. MOORE, Secretary.

Frontier Committee—Major Clarke, Captain Johnson, Captain Briscoe, David M'Caleb, John Booth, Gibson Clarke and Moses Shelby.

Central Committee—Thomas Barnes, William Tabor, Samuel Gibson, William Briscoe, H. Blennerhassett, Colonel R. Ragan, James Watson, Dan'l Burnett, Thomas Farar, Judge Leake and Robert Cochran.

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Captain James Grafton's companies of infantry; next day Captain Kempe, with the Adams troop, marched in the same direction.

There was soon concentrated at Mount Vernon, five companies of infantry and four full companies of horse, the latter under Colonel Thomas Hinds.

They were placed under the orders of General Claiborne, with instructions from General Flournoy to employ the cavalry as rangers, for the protection of the settlers in gathering their crops. This service—though very important—was not what was expected when they voluntarily left their comfortable homes. They came for battle and glory, and could see neither in the lonely scout, over swamp and cane-brakes, and the weary watch over isolated corn-fields and log cabins. Chafing under this service, they sent an address—or rather a remonstrance—through General Claiborne to Major-General Flournoy, not at all in conformity with established notions of military propriety and subordination. In the absence of this address or a copy of it, its nature may be inferred from the following correspondence:

MAJOR HINDS TO GENERAL CLAIBORNE.

CAMP PINE LEVEL, October 26th, 1813.

DEAR GENERAL: I have the honor to enclose you an address to Major-General Flournoy, from the officers of the squadron of volunteer cavalry, with a request that you will be so good as to permit the same to be forwarded forthwith. And it gives me sincere pleasure to say that I am instructed to assure you, that nothing contained in it is intended to apply to yourself, but, on the contrary, every officer feels himself indebted to you for your constant politeness and attention to the interests and comfort of the squadron.

With sentiments of sincere respect,

Your obedient servant,

THOMAS HINDS, Major.

FROM GENERAL FLOURNOY TO GENERAL CLAIBORNE.

MOBILE, October 28th, 1813.

My only response to the address of Major Hinds, and the officers of his corps is, that they were sent to me as volunteers by Governor Holmes. They tendered me their services and asked to be employed. I accepted them, and ordered them to report to you. They have lived roughly, but as well as you or I. If they leave, we cannot help it. I cannot discharge them, because that would imply that their services are no longer necessary, which is not the case. As to *stationing* them at St. Stephens, Pine Level, or elsewhere, that cannot be allowed. If they remain, they must be kept constantly employed, in protecting the people who must now gather their crops, for subsistence, for our troops, and for the men who are exiled from Tennessee. I am sorry these gentlemen should have entered the service under such erroneous impressions. The fault is theirs, not mine.

FROM GENERAL FLOURNOY TO GENERAL CLAIBORNE.

"The injudicious and unmilitary conduct of the dragoon officers under the command of Major Hinds compels me to believe, that they are not disposed to co-operate with us in defence of their country. I have consequently returned them to Governor Holmes, to be disposed of as he may think proper. You will, therefore, give them no orders, and they are not to be considered a part of your force. You will take care to get their arms when they leave. They will have no use for them where they are going, and we shall want them for men who are willing to remain on the frontier and defend the inhabitants."

This was an unfortunate rupture. It is probable that General Clai-

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borne endeavored to reconcile matters, and with that view went a little beyond the line of duty. Major Hinds was his personal friend, and relative by marriage, and most of the corps were the sons of his friends and neighbors. He received from Major-General Flournoy the following reprimand:

MOBILE, Nov. 10th, 1813.

SIR—The enclosed paper came to my hands after I had boarded the vessel that brought me to this place. A sense of duty requires me to tell you that, in sending me such a report, you have not only acted without, but against orders. From whence do you derive your authority for calling the militia under Major Hinds, sent here by the Governor of the Territory, United States troops? You know I have decided that they are not in the service of the United States. There is no law or regulation that can make them so, even had they remained in service under my acceptance—which acceptance expressly stated that they were not received as United States troops.

Besides, you know that I have returned them to the Governor, declaring that in consequence of their insubordination, I would no longer undertake to command them, and they are now under the Governor's orders. And in my letter, handed to you at Mount Vernon, in relation to these men, I instructed you to this effect. The paper is returned to you for correction, and explanation, and in future you will have no men on your rolls and returns, but those whom the laws and my orders declare to be United States troops."

The newspapers and politicians of the Western counties, violently denounced the stern old Georgian for his course in this matter, but he was sustained by the frontier people and the authorities at Washington. The same corps, under the same intrepid leader, transferred afterwards to a different theater, became, as will be shown hereafter, "the admiration of one army and the astonishment of the other."

By this time General Claiborne, chiefly through the agency of Col. George H. Nixon, a very gallant officer, George S. Gaines, John Pitchlyn and Simon Favre, of Hancock county, Miss., had secured not only the neutrality, but the co-operation of the Choctaws. Pushmattaha, one of the three medal-chiefs, and the most eloquent speaker in the nation, had been invited to his camp, had been arrayed in the full uniform of a general, and soon reported for service with a number of his warriors. General Claiborne's command had been greatly depleted by the expiration of the term of service for which his men had enlisted, and many had returned home. After building Fort Claiborne he, at length, prevailed on Major-General Flournoy to reinforce him with the 3d United States Infantry, Colonel Russell, and to authorize his advance into the Creek nation.

The contemplated expedition was not agreeable to most of his officers, and they placed in his hands the following paper:

"The undersigned, volunteer officers, as republican soldiers devoted to their government, and warmly attached to yourself, and disclaiming any authority to remonstrate or complain, nevertheless, respectfully ask permission to lay their opinions before you, in relation to the movement into the Creek nation. Considering that winter and the wet season have set in; the untrodden wilderness to be traversed; the impossibility of transporting supplies for the want of roads; that most of our men are without winter clothing, shoes or blankets; that a large majority of those ordered to march will be entitled to their discharge before the expedition can be accomplished; for these, and other considerations, we trust the enterprise may be reconsidered and abandoned, declaring at the same time that, be your decision what it may, we shall cheerfully obey your orders, and carry out your plans."

Louis Painbœuf, C. G. Johnson, C. V. Foelkil, Ben Dent, Philip A. Engle,

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R. Jones, A. Wells, James Foster, H. Morrison, Captains; Alexander Calvit, Lieutenant and Aid-de-Camp; Ben. F. Harney, Surgeon; John Allen, John Camp, Wm. Morgan, R. Bowman, R. C. Anderson Layson, J. Lockridge, Theron Kellogg, A. L. Osborne, Lieutenants; George Dougharty, B. Blanton, M. Calliham, H. O. Davis, E. Burton, Stephen Mayers, James Luckett, Ensigns.

"Their objections," says General Claiborne, in a dispatch to the Mississippi Republican, published soon after, "were stated with the dignity, feeling and respect those officers had always manifested. But those abused, calumniated defenders of their country, in a situation to try the stoutest heart, rose superior to privation and suffering. As soon as the order to march was issued, each man repaired promptly to his post. Many, whose term of service had expired, and had not received a dollar of their arrearages, volunteered for the expedition, and with cheerful alacrity moved to their stations in the line." This includes every officer who signed the address. "Yes," continues the General, "when they were exposed in these swamps and canebrakes to an inclement winter without tents, blankets, warm clothing, shoes and food; when every countenance exhibited suffering; when they were nine days without meat, and subsisted chiefly on parched corn, these brave men won an important battle, and endured without a murmur the exigencies of the service."

Most of these volunteers were young men accustomed to the luxuries of life. Among them were men who became Senators and Judges, and two (Gerard C. Brandon and A. M. Scott) afterwards filled the Executive chair of Mississippi. "Officers and men," says Captain Dale, "were averse to the expedition, but when their General reminded them of the taunts of their traducers on the banks of the Mississippi, and that their comrades, slain at Fort Mims, had yet to be avenged, with one voice they swore they would follow him or die in the wilderness."*

After the massacre at Fort Mims, under the advice of the Prophet, a town or fortress had been built, in a remote place, and to which no path led, called E-can-a-cha-ha, or Holy Ground. The Prophets here took up their abode, and assured their deluded followers that no white man could approach it. "It had been strongly fortified," says Pickett, "in the Indian manner; some two hundred houses were erected, and it was the point to which those who had been on marauding expeditions or in battle retreated with their plunder and for safety. It stood upon a bluff, on the eastern side of the Alabama river, just below Powell's ferry, in the county of Lowndes. Here many of the white persons and friendly Indians had been burned to death."

To destroy this fastness—the chief centre of Indian fanaticism, and break down the confidence of the savages in their Prophets—was the object of the expedition.

Eighty miles from Fort Claiborne, near Double Swamp, in the present county of Butler, a stockade was erected, and leaving there the sick, the baggage and teams, in light marching order, they struck out, through the pathless woods, for the Holy City, some thirty miles away.

December 23d, the troops advanced in three columns. The town was on a small wooded plateau, with ravines and swamp on three

*Claiborne's Life of Sam Dale.

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sides, and the Alabama river on the other. It was protected by fallen timber, and by stakes driven firmly in the ground. The Indians, cheered by their prophets, who assured an easy victory, and headed by Weatherford—who had led them at Fort Mims—met the troops on the brink of the ravine, and fought with desperation. But after a heavy fight of thirty minutes, seeing many of their best warriors wounded or dead, they fled to the swamp and river, their intrepid leader being the last to retreat. Mounting a grey charger—well known on the frontier—he dashed to a bluff on the river, and with his rifle in hand and a whoop of defiance, he plunged in, and reached the western bank safely.

On advancing into the great square, Mrs. Sophia Durant, a half-breed lady of respectability, and ten other half-breeds, friendly to the whites, were found tied to stakes, with piles of lightwood around. Their lives were saved by the sudden assault.

Many savages fell, and the town, heretofore deemed invulnerable, was burned. The moral effect was great. It demonstrated that they had no fortress too sacred, too remote or too strong to be exempt from assault, and it destroyed their fanatical faith in their Prophets, and their incantations and assurances.

In this battle a number of Shawnese were engaged. Three of them were killed the next day, and a town of sixty houses, eight miles higher up the river, destroyed.

In Weatherford's house, at the Holy Ground, a number of letters from the Spanish authorities at Pensacola, were obtained, showing their close relations with the savages. In transmitting these to the War Department, General Claiborne said: "Seize Pensacola, and you disarm the Indians. It is the real heart of the Creek confederacy."

By this time the term of service of two-thirds of his volunteers had expired. But the General intended to prevail on them to pursue the Creeks still farther. At that juncture, he received a letter from General Jackson, dated December 18th, 1813, urging him to remain at Weatherford's Bluff until further advices.

This determined the return to Fort Claiborne. On his arrival there, Carson's Mississippi volunteers, and the cavalry, were mustered out of service, and there were only sixty men left, whose term would expire in a month. These troops, the General complains, had been permitted to serve without clothing or shoes, and had been disbanded with eight months pay due them! What a commentary on the War Department of that day! What an illustration of the patience and patriotism of the volunteers of Mississippi!

The volunteers had served over and above their term; had remained, from attachment to their General, and started on the weary journey for their distant homes on the Pearl, the Amite and the Mississippi without a cent of their pay. Their General soon followed, as poor as themselves, and, with a constitution broken by exposure, soon died.

He was accused by critics who remained in their comfortable retreats, with inactivity. He was held responsible for the fall of Fort Mims. He was charged with a want of enterprise in not invading the Creek nation, on his arrival on the Alabama. His vindi-

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cation will be found in the preceding narrative, and in the following memoir.*

While our frontier was being desolated and most of our able-bodied men had repaired there for its defence, the condition of things at home was bad. The war with Great Britain had brought down the price of cotton to seven or eight cents, and the crop then and for several preceding years, had been greatly reduced by *rot*. For three years, in succession, the river lands had been overflowed. Neither real or personal property would command more than one-half their previous value. There was a heavy debt owing the United States for lands purchased, falling due at the end of the year, which, if not paid, under the terms of the sale, would operate a forfeiture of the land, without any allowance for the improvements made thereon. The usual official vermin and revenue detectives and agents, that swarm at periods of distress, in the arrogance and pride of place, had made their appearance, like vultures scenting their prey afar off. The war, besides drawing away the laboring white men, augmenting the price of commodities by blocking up the avenues of trade, had largely increased the taxes, which many of the people were unable to pay.

The situation was bad. It had been aggravated by experimental and very injudicious legislation. Before the war commenced, when cotton readily commanded fifteen cents, and when there could be no pretext for interfering between debtor and creditor, the legislature passed what was designated as the Forth-Coming Bond Law, which, in its operation, amounted to a suspension of judicial process—since it was, ultimately, more difficult to obtain an execution on such a bond than on the original judgment. Tempted by the high price of cotton, people had plunged recklessly in debt for land and slaves, and this interference with old and established laws, was in the interest of the improvident and speculative, but not authorized by any sound principle of political economy.

Cotton was received at fourteen and fifteen cents in payment of debts. The Forth-coming bond act was repealed, but an Act was passed "to prevent the sacrifice of property," followed by "an Act for the relief of debtors." Subsequently, another so-called relief law was passed.

The motive for this legislation might be good; the intention, osten-

*At a meeting of the militia officers of the Mississippi Territory, who have lately been discharged, the following address was unanimously agreed to:

TO BRIGADIER-GENERAL CLAIBORNE.

The undersigned, whose term of service has just expired, being about to return to their homes, desire to express their high appreciation of your military and personal character, and of your uniform kindness and attention to your officers and men. With your limited resources and your restraining orders, you have done all that a General or man could do, and every member of your command, from the private soldier to the highest in rank, regards you as their trusted leader, and as a father. We shall carry this feeling with us to our homes, and shall teach our families and our children to revere your name.

R. Robinson, *Major*; John H. Shanks, Jacob Guice, Philip Hill, Zaccharlah Lea, *Captains*; John C. Cox, *Surgeon*; C. G. Llewellen, Ozias Austin, David Guice, W. W. Blanton, Peter C. Chambliss, M. Kinchew, G. W. Weatherly, R. Alexander, John Stephens, Hiram Baldwin, James Green, W. M. Leake, James McGowen, *Lieutenants*; W. King, Sam. Nicholson, Joel White, Ellis E. Spellman, *Ensigns*.

Baton Rouge, March 22, 1813.

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sibly, was to prevent the sacrifice of the brave men then defending our frontier, but really more to shield the gambler in land and negroes purchased at high prices, and whose value, owing to the war, had rapidly depreciated. But since, by no act of the Legislature, could the debt be sponged out, these so-called relief laws only superinduced an accumulation of interest and costs that, in the end, swept everything into the pockets of the creditor.

Yet, with the knowledge that their crops had failed, or been destroyed by the rot; that the war with Great Britain, and the blockade, and its domination of the seas, had reduced cotton below the cost of production; that the national government, pressed by its necessities, was clamoring for the last installment due on land, and that, in all probability, their families would be evicted and homeless—these brave Mississippians, badly clothed, badly fed, and not paid, continued in service to the last moment; many, after their terms had expired; patient, uncomplaining, obedient, as fifty years since we have seen their sons and grandsons, on the frozen banks of the Potomac, in the deadly trenches of Petersburg, in the defiles of Georgia—whenever there was an invader to confront, or a duty to discharge, though they knew their families at home were without shelter and often without bread!

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CHAPTER XXVIII.

THE name of Gen. FERDINAND LEIGH CLAIBORNE has so frequently occurred in the course of this narrative, and there are so many proofs of the zeal and perseverance he manifested in defence of the frontier, that a brief memoir of his career is called for. He was a native of Sussex county, Virginia, of a family prominent in that commonwealth from the time of Charles I. On the 21st of November, 1793, in his twentieth year, he was appointed an ensign in the Legion in the service of the United States, and was ordered forthwith to the headquarters of Major-General Wayne, on the Northwestern frontier. He was in the great battle in which that able General soon after defeated the Indians, and for his good conduct was promoted to a lieutenancy. At the close of the war he was stationed at Richmond, and Norfolk, in the recruiting service, and subsequently was ordered to Pittsburg, Fort Washington, Fort Greenville and Detroit, where he remained with the rank of Captain and acting Adjutant General, 1st regiment U. S. infantry, army of the west, until 1805, when he resigned and removed to Natchez, in the Mississippi Territory. Entering extensively into mercantile and agricultural operations, he was soon after elected a representative to the Territorial Legislature, and was called by that body to preside over its deliberations. When General Wilkinson applied to the authorities of the Territory for volunteers, to aid him in repelling the hostile demonstrations of the Spaniards on the Sabine, he was placed at the head of the expedition, and when within one day's march of the Sabine, was met by an order from the commanding general, to retrace his march, and disband the volunteers—an order predicated on private negotiations between the Spanish and American Generals, that occasioned great dissatisfaction in the Mississippi Territory, and permanently impaired the popularity of Gen. Wilkinson. On the 8th of March, 1813, Col. Claiborne was appointed Brigadier General of volunteers, in the service of the United States, and was ordered by Major-General Wilkinson to take command of the post of Baton Rouge, where a considerable number of volunteers were stationed. In the latter part of June, 1813, he was ordered to march with his command from Baton Rouge to Fort Stodart, on the Alabama; "the defence of Mobile," said the order, "will be your principal care."

The following letter addressed to Major-General Flournoy (who had succeeded Wilkinson in the command) will show the difficulties of the

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march, and the miserable condition of the Quarter-master's department:

BULLER'S PLAINS, 21 MILES FROM BATON ROUGE,
July 8th, 1813.

SIR: I arrived here last evening, preceded by 250 men of Col. Carson's regiment, Mississippi Volunteers. The rear will be up to-morrow evening, under the command of Lt.-Col. Ross, who will proceed with the regiment to Liberty, where he will be joined by a wagon-train from Natchez. I shall join the command at Liberty. It has rained every day for six weeks. The roads are intolerable. Already the two hundred dollars advanced me have been expended for wagon hire. I will, however, meet all the necessary disbursements on the march out of my own means.

Very respectfully, your most obedient servant,
FERDINAND L. CLAIBORNE,
Brigadier General Volunteers.

EXTRACT FROM A LETTER FROM GEN. CLAIBORNE TO COL. BEN. HAWKINS, U. S. AGENT, CREEK NATION.

CANTONMENT, MOUNT VERNON, NEAR FORT STODART,
August 14th, 1813.

"On the 30th ult., I reached this place, with 700 men, from Baton Rouge, and expect to be re-inforced by the 7th Regiment, U. S. regulars, in a few days. I cannot say what will be the determination of Maj.-Gen. Flournoy, under whose orders I act, but I hope to receive permission to strike for the heart of the Creek nation."

The following letter, written soon after the command reached its place of destination, shows, in a strong light, his solicitude for the volunteers and the self-sacrificing spirit of this patriotic officer:

CANTONMENT, NEAR FORT STODART,
August 13th, 1813.

To the Officer in Command at Liberty, Mississippi Territory:

SIR: I write for the express purpose of saying that under no circumstances must the sick who have been left at Liberty, suffer for the want of any comfort. Should Surgeon Cox be out of medicine direct him to send forthwith to his father, at the town of Washington, and I will see the amount paid.* If you cannot procure groceries and other supplies from the dealers in town without cash, apply, in my name, to my friends, Col. Nelson, H. M. Harper, Thomas Waggoner, Esq., or either of them, to assist you in obtaining them, and I will be personally accountable. Your obedient servant,

F. L. CLAIBORNE,
Brig. Gen. Vols.

Although ordered to the Alabama for the express purpose of co-operating in the "*defence of Mobile,*" his attention was immediately drawn to the condition of the frontier. Unfortunately, as fully appears from the documents before us, the communications from the U. S. Agent in the Creek nation, Col. Hawkins, to Gen. Flournoy, had persuaded the latter, that the agitation among the Indians was of a domestic nature, and would only lead to a civil war among themselves. Gen. Claiborne, and the best informed citizens on the frontier, thought otherwise, and he accordingly applied to the Major-General for a small reinforcement of regulars, with permission to march at once into the heart of the nation. The following extract of a letter from Major-General Flournoy, in reply to Brigadier-General Claiborne, will illustrate the state of things. It is dated Bay St. Louis, August 10th, 1813:

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*Dr. John Coxe, an eminent surgeon and physician.

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"I shall send the 7th Regiment by water to Mobile. I fear that it is the design of the Spanish Government to draw our force to the upper country, by playing off the Indians upon us there, and then to make an attempt to retake Mobile. To guard against this, Maj. Gibson will be directed to remain with his regiment at Mobile, till further orders from myself. I have to entreat you, not to permit your zeal for the public good (which I know you have at heart as much as any man), to draw you into acts of indiscretion. Your wish to penetrate into the Indian country, with a view of *commencing* the war, does not meet my approbation, and I again repeat, *our operations must be confined to defensive measures.*"

Gen. Claiborne had, likewise, urged the commander-in-chief to call out the militia of the Territory for the defence of the country, but, in the same communication, Gen. Flournoy says: "I am *not authorized* to make the call."* Several murders having been committed by the Indians, Gen. Claiborne had taken the responsibility of establishing a chain of posts on the waters of the Tombigbee and Alabama, for the protection of the settlers. He also dispatched Maj. Bellanger, to the Choctaws, then balancing between war and peace, to secure their co-operation, without which the whole territory would have been exposed to the tomahawk. In the letter above quoted, Gen. Flournoy says: "You may dispose of the volunteers according to your judgment, but for the reasons stated, viz: a fear that the Spaniards design attacking Mobile, and Mobile Point, I must enjoin you not to give any order or interfere with the instructions to the officers at those posts." Having distributed his troops into posts to protect the adjacent settlements, and enable the citizens to secure their crops, according to universal usage in Indian warfare, with more men at each post than ever were assembled at any one post on the Northwestern territory in Wayne's campaigns, or during the last war with Great Britain, or in the sanguinary settlement of Kentucky and Tennessee, Gen. Claiborne personally inspected each of them, and urged the utmost circumspection against the treacherous enemy. On the 7th of August, he arrived at Fort Mims, and ordered Maj. Beasely to strengthen his picketing, to build two additional blockhouses, and to send out scouts constantly. The following is the statement of Lieut. Chambliss, a gallant officer, and one of the few who survived the fatal catastrophe of the 30th of August:

"I certify that I delivered, on the 7th of August last, a letter from Gen. Claiborne to Maj. Beasely, commanding Fort Mims, instructing him to strengthen the pickets, and to build one or two additional blockhouses. And I further certify that Maj. Beasely received a letter, one or two days before the attack on Fort Mims, from Gen. Claiborne (who was on his way to Fort Easely), advising him of the reported movements of the enemy.

WM. R. CHAMBLISS,
Lieut. Miss. Vols."

Port Gibson, July 16th, 1814.

Having returned, from this tour of inspection, to St. Stephens, intelligence reached him on the 25th of August that an attack was to be made on Fort Easely, the most advanced and feeble post on the frontier, where many families were collected, with but six men to defend them. He immediately sent despatches to the different posts, and with 30 men of Scott's, and 30 of Dent's company, and 20

* It was the duty of Gov. Holmes to have made this call. But he postponed it until after the fall of Fort Mims. And we have seen how promptly it was responded to.

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dragoons, repaired to Fort Easely to take the command. Here he received the astounding news of the fall of Fort Mims—*astounding*, because his last cautions had been directed to its gallant commandant; because the morning report, the day previous to the attack, showed the effective force to be 106, besides 35 men at Pierce's and Kennedy's mills, in the vicinity, who received orders from the fort; and because, in a letter, written on the very morning of the attack, Maj. Beasely had reported himself prepared to repel any force that might assail him. As far back as the 28th of July, Lieut. S. M. Osborn (who afterwards fell in the fort), in a letter to Col. Carson, says: "This stockade is in good condition, and I am sure will be well defended." And it *would* have been successfully defended, but for the fatal confidence and contempt of the enemy that prevailed, and rendered all subsequent gallantry unavailing. Educated in the tactics of Wayne, General Claiborne could hardly realize the fall of Fort Mims—and with a bleeding heart gave orders to Capt. Kennedy to repair to the fatal spot, and bury the remains of the gallant dead. The fort, on the morning of the attack, mustered 106 effective men, and a plentiful supply of provisions and munitions of war. The original fortification was a line of pickets, with one blockhouse, a large dwelling, kitchen and smoke-house, and two bastions placed in position to throw upon an enemy a cross fire, in whatever direction he might approach. These works had been materially strengthened. Had the gates been kept closed, and the men properly posted in the bastions and blockhouse, all experience shows, that such a force might have kept at bay a thousand Indians.

The courage of Maj. Beasely amounted to desperation. Although often warned, he turned a deaf ear to all idea of danger. At the onset of the enemy, in the blaze of three hundred rifles, he rushed to close the front gate, which opened into the outward work not yet completed. Here he fell—too soon to perceive his inability to repel a superior force fighting on equal terms; too late to enable the gallant officer who succeeded him, to gain possession of the bastions and blockhouse, which were now occupied by the enemy. Informed of this great disaster by express from Capt. Kennedy, in command at Mount Vernon, Gen. Claiborne left Fort Easely, and immediately repaired to the several posts and settlements, to rally the flying inhabitants, and urge them to enroll for the defence of the country. He was actively and zealously aided by Col. Haines, Col. Phillips, George S. Gaines, Maj. Smoot, Judge Toulmin, Col. Caller, Capt. Henry, and Messrs. McGriffin, Sewall, Bohannan, Irvin, Baldwin, Cols. Patton, Skinner and Bates, Capts. Lester, Dale, and other influential citizens. His attention was next directed to the Choctaws, who then occupied the Mississippi Territory north and south from the Wayne county line to the Tallahatchie river, and east and west from the Tombigbee to the Bayou Pierre. The young warriors of that powerful tribe had snuffed the scent of blood, and were panting for the strife. The Chickasawhay towns began to paint and to chant their war songs. Some of them had been present at the great council held by Tecumseh with the Creeks, and runners were constantly passing from one nation to the other. At this juncture Fort Mims fell, and the Choctaws were on the eve of drawing the scalping knife against the whites. Their aspect was so menacing, and the consternation so

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great, that the people of the southeastern counties, Green, Wayne and Perry, forted at Winchester, and on the Mississippi many families abandoned their homes, and fled to the swamps. More than once it was reported that the Choctaws were in arms, marching on Port Gibson and Natchez. Had they united with the Creeks, the whole Territory would have been desolated. No possible force in the power of the federal or territorial authorities to rally, could have stemmed the tide of butchery and conflagration. Gen. Claiborne, it will be recollected, had some time before dispatched Maj. Ballenger into the nation to ascertain the temper of the Choctaws, (where he unfortunately died), and he was constantly advised of their movements by George S. Gaines, then residing among them at the U. S. Factory, and to whose zeal, activity and sagacity there are abundant testimonies in the papers of Gen. Claiborne. Through the agency of this gentleman, and by liberal expenditures from his private purse, the General induced Pushmataha, a renowned warrior, orator and medal chief of the Choctaws, to visit St. Stephens and Mobile. The result of his visit was the union of the Choctaws with the whites, and thus one great point for the protection of the Territory was secured. From Mobile Gen. Claiborne returned to Mount Vernon, accompanied by Maj.-Gen. Flournoy, who assumed the command. An expedition was resolved upon, to consist of the 3rd and 7th regiments, U. S. infantry, one company of artillery, the volunteers under Gen. Claiborne, including Maj. Hinds' dragoons, and a detachment of Choctaws, making two thousand effective men, to be led by the Major-General in person. Active preparations were set on foot. On the 12th of October, 1813, Gen. Claiborne was ordered to advance with the volunteers, and Hinds' dragoons. The object of this detachment was to march through the forks of the Tombigbee and Alabama, routing the parties of the enemy supposed to be lurking there, and then to take post at some eligible point until the main body of the army could move. On this march the savages continually hovered round the troops, in small parties, a few skirmishes occurred, but no stratagem could induce the Indians to appear in force. Gen. Claiborne then encamped at Pine Level, in a plentiful country, to await further orders. The command was in high spirits, and burning for an opportunity to win distinction on the battle-field. On the 6th of November Gen. Flournoy announced to Gen. Claiborne that he had determined to abandon the enterprise. This determination was produced by an order from the War Department directing Lieut.-Col. Russell to correspond with the officer in command of the Georgia troops, which, by implication, constituted the 3d regiment a separate command. Besides this unlooked-for event, which reduced the effective force of Gen. Flournoy nearly one-third, it was the opinion of Col. McKee, U. S. Agent for the Choctaws, that the whole force on the frontier was inadequate to the proposed expedition. The Major-General therefore resolved to return to New Orleans with the 7th regiment. He had declined recognizing Hinds' Dragoons as being in the service of the United States, and that gallant corps of Mississippians were preparing to return home, deeply mortified, but not without saying to Gen. Claiborne, in a letter from Major Hinds: "It gives me sincere pleasure to inform you, that I am instructed to say, that nothing contained in our address to Gen. Flournoy is in-

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tended for yourself; but on the contrary every officer feels himself indebted to your politeness and attention to the interest and comfort of the squadron." On the 8th of November, Gen. Claiborne addressed Gen. Flournoy, as follows:

"I this moment received your letter of the 6th inst. I am distressed at its contents. I hoped and believed that you would lead us into the enemy's country. If you think yourself bound to relinquish the command of the 3d regiment, and to abandon the movement contemplated, what disposition will be made of my command? We have about eighty drafted men, and 375 men of Col. Carson's regiment. Give me Pushamataha, and his warriors, and we will make a dash at the Cahawba towns. We cannot leave the service without achieving something. I send my Aid and Dr. John Ker, of the medical department,* to urge our claim to this favor. Should you indulge us we need pistols, flints and cartridges, and $300. I have not a dollar. My own funds are exhausted, and my men are unpaid, and without shoes or blankets. Should you refuse this request, what duty are we to perform? I hope it will not be that which will disgust my brave comrades—garrisoning stockades and securing crops. The two gentlemen who wait on you know the pride and the temper of the 1st Regiment, Mississippi Volunteers, and will strongly urge our wishes."

In reply, Gen. Flournoy wrote: "I do not wish you to engage in any rash enterprise. You must act on the defensive." On the 10th of November he ordered Gen. Claiborne to proceed to Weatherford's Bluffs (now Fort Claiborne) and establish a depot of provisions for Gen. Jackson, who had written that he was "in more dread of famine than of the Indians, and that without a supply he could not carry on the campaign." The following from Gen. C. will be read with interest:

CAMP PINE LEVEL, Nov. 12th, 1813.

Major-General Flournoy:

SIR: Your letter of the 10th was received, and a part of my command is already on the march for Weatherford. To-morrow the whole will be in motion, and in three days we shall be established there. My volunteers, half naked, evinced the greatest satisfaction on learning their destiny. The advance towards the enemy, and the probability of winning distinction on the path to Pensacola, inspired them all. It seems to be intended that you should act on the sea-board, and not in the Creek war. Withdrawing the 3d regiment is evidence of the fact. *But at every hazard, I wish you would enter the Creek nation."*

The operations at Weatherford's are briefly stated in a letter from Gen. Claiborne to Gov. Holmes, dated Nov. 21st, 1813:

"I am on the east bank of the Alabama, 85 miles above Mims, and in the best part of the enemy's country. From this position we cut the savages off from the river, and from their growing crops. We likewise render their communication with Pensacola more hazardous. Here will be deposited, for the use of Gen. Jackson, a supply of provisions, and I hope I shall be ordered to co-operate with him. Col. Russell, of the 3d U. S., has been ordered to co-operate with the Georgia troops, and is now on his march to this place. We have by several excursions alarmed the Indians, and the possession of this important position will induce them to retire. I have with me Pushamattaha, who with 51 warriors, accompanied by Lieut. Callaham of the volunteers, will march this morning, and take a position to intercept more effectively the communication of the enemy with Pensacola."

As far back as the 22d of October, Gen. Claiborne, in a letter to Gen. Flournoy had recommended that bold achievement which Gen. Jackson afterwards accomplished—"*I would advise a stroke at the root of all present distress*—PENSACOLA."

* An eminent physician of Natchez, then attached to the Volunteers.

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While engaged in constructing Fort Claiborne at Weatherford's Bluff's on the Alabama, he received a letter from Gen. Jackson urging him, in his disabled state, not to make incursions, but to maintain his position and cut off the communication with Pensacola, whence the Indians obtained their powder and lead. He urged likewise, the impracticability of prosecuting his own campaign, without the supplies for which he relies on Gen. Claiborne*.

OFF STROTHER, TEN. ISLANDS, Dec. 18th, 1813.

**Gen. F. L. Claiborne:*

SIR:—Your letter of the 12th ult. was handed me last night by Mr. McCanless. Accept, sir, my thanks, for the disposition you have manifested to afford me aid and co-operation.

Before this reaches you, you will have heard of our battle at Talladega. It was fought on the 9th of November, and was indeed a severe blow to the enemy. It is impossible to tell, with any precision, the loss they sustained. We counted, however, two hundred and ninety-nine dead on the field; but this is known to fall considerably short of the number really killed. Could I have followed up that victory immediately, the Creek war, before this, had been terminated. But I was compelled by a double cause—the want of supplies and the want of co-operation from the East Tennessee troops, to return to this place. On my arrival here, instead of plentiful supplies, I found the most distressing scarcity. Discontents arose among my men, which my utmost endeavors have been unavailingly used to remove. Another and more stubborn cause of embarrassment was at length added to the former. The old volunteers who composed a part of my force, believing their term of service to have expired on the 10th inst., refused to prosecute the campaign any farther; and not considering myself empowered to discharge them, I was compelled to permit them to be marched to Nashville—there to await such orders as the Governor or Secretary of War may think proper to give them.

Gen. Cocke with the East Tennessee troops formed a junction with me on the 12th inst., and to my great surprise I learned, after his arrival, that the term of service of the greater part of his men would expire in a few days, and of the whole, in a few weeks. I had supposed that 1500 of them had been raised under the order of Governor Blount founded upon the requisition of the President; and that they were bound to six months service. This not being the case I have ordered him to march back and discharge that portion of his troops whose term of service is within a few days of expiring, and to raise, with all practicable dispatch, 1500 in conformity to the President's requisition. He left here on the 16th inst.,—leaving one regiment whose term of service will expire about the middle of next month.

After the battle at Talladega the cavalry and mounted gunmen were permitted to return into the settlements to recruit their horses. Having assembled again, they are ordered to remain at the nearest point where forage can be procured, (which is about 70 miles distant) until supplies arrive to justify another movement. When supplies sufficient for this purpose *will* arrive I durst scarcely venture a conjecture—having been so often disappointed by the contractors. I *hope*, however, that by the 25th I shall be able to commence operations again. I learn that the enemy are again embodying in considerable force at the "Fish-traps" on this river, about sixty miles below me; and I am exceedingly anxious to exchange salutations with them once more.

When I arrive at the junction of the Coosa and Tallapoosa, where, but for the causes I have assigned I should have been long ago, I shall erect a strong garrison —keeping the communication open with the posts I shall have established behind.

Thus, General, I have stated to you my situation and my prospects. Would to God they were more flattering; but as they really exist I am bound to represent them. Notwithstanding, however, the delays and difficulties we have been exposed to, the campaign must be prosecuted to a successful termination. The supplies which can be forwarded up the river, and which, I am happy to learn from you, will be forwarded, will be of the utmost service in the accomplishment of this most desirable object. So will also your active co-operation with the men under your command, which I know you will at all times, most cheerfully render. Whenever I get again in motion, which I hope to do in a few days, and progress far enough to operate in concert with you, I will advise you of it by express. In the meantime permit me to suggest to you the propriety of retaining your position at Weatherford (Fort Claiborne), and of collecting there all the supplies you can procure from the lower country. It is not understood by the government that this war is to be confined to mere temporary incursions into the enemy's

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Towards the close of 1813, Gen. Claiborne, seeing that the term of service of his volunteers was rapidly drawing to a close, determined on an expedition to the Holy Ground. The main body of his officers were opposed to it. The difficulties anticipated by these brave men, were well known to the General; they were fully realized on the march, but it ended in that decisive battle at the Holy Ground, which we have elsewhere fully detailed. These difficulties and the patience with which they were endured by that patriotic corps, are briefly sketched in the following letter, the last written by Gen. Claiborne on the frontier, that has fallen into our hands:

MOUNT VERNON, January 14th, 1814.

To the Secretary of War:

SIR:—The term of service of the volunteers enrolled in this Territory and Louisiana, composing my brigade, having generally expired, there being only some sixty left who have yet a month to serve, I am left without a command, and will myself leave this frontier for Natchez in a few days, by permission of Gen. Flournoy. In my previous letter I stated the circumstances that prevented me from marching, after the battle of Eccanachaca, to the Quewallie towns, 45 miles above, where McQueen was reported to be. We were destitute of supplies. My whole command, on their return march, subsisted four days on parched corn and were nine days without meat. The expectation of finding beef in the course of our march, the want of transportation and the neglect of the contractor, occasioned this. My volunteers are returning to their homes, with eight months pay due them, and almost literally *naked.* They have served the last three months of an inclement winter, *without shoes or blankets,* and almost without shirts, but are still devoted to their country, and properly impressed with the justice and necessity of the war."

Such were the resources with which Gen. Claiborne was left to cover this extensive frontier—a few skeletons of companies—soldiers whose term of service was constantly expiring—men without tents, blankets or shoes—scantily supplied with provisions—compelled, on a march, to pack these upon their backs—and for eight months enduring the hardships of frontier service without a dollar of their pay! Yet much was achieved after the fall of Fort Mims. The country was effectually protected; material aid was rendered Gen. Jackson in his career of victories, and the Indians were effectually chastised on one of their sacred fields. Honor to the memory of our frontier defenders! Gen. Claiborne did not long survive the date of this letter. He returned to his family in the vicinity of Natchez, his constitution broken by exposure, and his fortune totally wrecked in the public service, and died suddenly about the close of 1815, in his forty-fourth year. The last act of his life, and the last dollar of his fortune, were expended in illuminating his house and grounds, on the news of Jackson's victory at New Orleans.

The fall of Fort Mims, the butchery of so many women and children, and the defenceless condition of the settlements, aroused everywhere

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country—such movements might distress them, but would produce none of those lasting and beneficial effects which are designed to be produced. Perhaps, too, there are ulterior objects, not yet avowed, which may be within the contemplation of government. The force under your command is sufficient to enable you to retain any position which you may think proper to establish—while such diversions are making in other quarters, and I am clearly of opinion that a strong fort at some middle point on the Alabama, will be found of great service in the future prosecution of the campaign. The hostile Creeks, no doubt, derive most of their military resources from Pensacola, and that communication ought to be, and must be, broken up. I am, dear General, your very ob't., humble serv't.

ANDREW JACKSON, Major-General.

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the sympathies and martial spirit of the people. The citizens of Tennessee, who had literally fought their way to the Holston, and from the Holston to the Cumberland, and whose frontiers were paved with human bones, rose, solidly, in arms, and demanded to be led into the Indian Territories. A leader eminently fit for the work presented himself. Intrepid but self-restrained, impetuous yet proverbially circumspect, with a faculty for command and a personal magnetism only found in rare instances, and a thorough knowledge of the men he was to lead, and the men whom he had to fight. These were no common enemies. They were not the brave men that fought DeSoto on the Alabama. That unhappy race had perished under the swords of the Spaniards, or from pestilence or intestine wars, and the finest hunting ground and most productive district in the South had long been depopulated. It was at length occupied by the Muscogees, a martial tribe that migrated from the remote Northwest, and fought their way to the Alabama river. Here they halted. They waged war on the neighboring tribes, and after a time incorporated those whom they subjected, among themselves. The refugees of the Natchez were received into the family, and fugitives from every quarter. Gradually, by intermarriage and a common sense of danger, these various elements became amalgamated, and known as the Muscogee or Creek Confederacy. They were supplied with such goods as they used, with arms and ammunition, before the American revolution, by British traders from Charleston. Afterwards, chiefly by the great British house of Wm. Panton & Co., Pensacola. Twice a year the Creeks, with caravans of pack-horses, laden with skins and peltries, visited that city. Trading houses were likewise established in the nation. Most of the traders and their employees were Scotch, who usually took Indian wives, and the issue of these marriages had been, for a number of years, the rulers of the country. Many of them, like McGillivray, McIntosh, and Weatherford, had been educated and amassed large fortunes.

Had the American Indians, in their conflicts with the whites, been able to restrain their ferocity when victorious, there would be no nobler record of courage, patience, perseverance, of all that constitutes heroism. Naked, without shelter or subsistence, with neither medicine nor surgeons, nor transportation, and with inferior arms, they often overwhelmed regular armies and captured fortified posts. But, unfortunately, their successes were accompanied by the most shocking atrocities. Amalgamation does not seem to have mitigated this characteristic. Wherever there was a drop of Indian blood it cropped out, and its manifestation has been more in the half-breed than in the original. It was not the capture of Fort Mims—a strongly garrisoned post—well calculated to alarm the country, but the dreadful massacre of the captured, that roused our people. It is not on our schedule to follow the avenging Nemesis. The memorable march of Jackson and the Tennesseeans—and their wonderful achievements—have been often recorded.

1814. After the terrible battle of the Horse Shoe and the surrender of Weatherford, Gen. Jackson had at his command some 3,000 men. Col. Thomas Hinds, with his battalion of Mississippi dragoons, was ordered to report to him for duty. The General had seen the Spanish papers captured by Gen. Claiborne at the Holy Ground, and had

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ever since kept his eye on Pensacola. He knew that the Spanish forts there were garrisoned in part by British troops, and by a number of Indians who had participated in the massacre at Fort Mims. Two or three British armed vessels lay in the harbor. Crossing the Alabama at Mims ferry, Jackson marched for Fort Montgomery, with three regiments of infantry, the Tennessee militia under Coffee, and Hinds' Mississippi dragoons. He advanced rapidly on Pensacola. Halting two miles out, he sent a reconnoitering party under Lieut. Murray of the dragoons. They captured a Spanish out-post, but Lieut. Murray was killed by an Indian in ambush. Gen. Jackson sent a flag to the Spanish Governor and demanded his authority to occupy Forts Barancas and St. Michael, to protect the province against the British and Indians, who were then at war with the United States, and by their occupation would endanger the friendly relations between the United States and Spain. This the Governor declined, and Jackson finding that the Spaniards were in league with the British and Indians, determined to carry the place by assault. It is not within my limits to go into the details. The General, as usual, was successful. He compelled the English to retreat and drove the Indians, with severe loss, into the woods. And then divining the object of the British squadron, he put his army in motion, for Fort Montgomery, on the Alabama, and halting them there, and at other convenient points, he proceeded to New Orleans. Hinds' Mississippi dragoons were ordered to report at New Orleans as soon as practicable. They marched to Liberty, Amite county, where, as many as desired it were furloughed for three days to get a remount, and rendezvous at Camp Richardson, Wilkinson county. The march was pushed on day and night, the weather very cold and wet, the road exceedingly bad. They entered the city on the night of the 23d of December, at 2 o'clock, and bivouacked on what is now known as Lafayette Square.

We quote now the MS. of the late venerable M. W. Trimble,* a member of the Jefferson troop, of which Isaac Dunbar was Captain, Battle Harrison, 1st Lieutenant, and Malcolm Curry, Cornet:

"As soon as we had camped, Col. Hinds proceeded to Jackson's headquarters for orders. Before he returned, about eleven o'clock in the morning, we heard the alarm guns. In ten minutes he appeared in sight, at full speed, waving his sword. We had mounted, and immediately formed four abreast, and followed him in a brisk trot, down Royal street. Every balcony was crowded, and the ladies were weeping and wringing their hands. Three miles or so below the city we came in view of two Louisiana rifle companies, and saw them fired upon by a large party of British concealed in an orange grove. Discovering our approach this party rapidly retreated below. Our first service was to throw down the cross-fences, from the levee to the woods, so as open the ways for our army. We were then ordered to get as near the British lines as safety would authorize, and keep a vigilant watch on their movements. Under cover of night we rode silently down the levee, with a single file of Louisiana riflemen on foot. By the light of their fires we perceived a British outpost or guard, who were

*Robert Trimble came from the Holston to Bayou Pierre, Miss., in 1798. He married the daughter of Samuel Gibson, who lived where the beautiful town of Port Gibson now stands. This was then the first white settlement after passing from the Cumberland settlements, through the Chickasaw and Choctaw nations, and was on the old Indian trading path, usually called the Natchez trace. In 1811 the father of Robert Trimble and the other branches of the family, left Holston and settled near the line between Claiborne and Jefferson counties, where he met his old friend. John Bolls, and soon afterwards the Rev. Wm. Montgomery and Rev. Jacob Rickow, and thus was formed the nucleus of the Presbyterian organization in Mississippi.

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evidently making arrangements to throw out their pickets. Concealed by the darkness, we quietly passed between them and the main army, and surrounded them. They seemed to be astounded, and surrendered without firing a gun—some sixty men. Resuming our march we halted within four hundred yards of the long line of camp fires, indicating their position, and we could both hear and see their different detachments defiling from the swamp into the open field. About ten that night Jackson marched down from the city. The artillery formed on the levee. The Tennesseeans passed by us, and took position between us and the enemy. Two American schooners dropped down the river and anchored near by, so as to throw a flank fire on the British line. All these movements, on our part, were made in profound silence, and under cover of the darkness, and the enemy could have no distinct conception of our presence or our numbers. A sky-rocket rose from our lines, and hissed through the air, and at the same moment a blaze of fire from our artillery, our rifles and our schooners. The atmosphere seemed to be on fire, and the very earth trembled. The surprise was complete. They could not discern us or estimate our force, but these brave men, fresh from their terrible conflicts with Napoleon's veterans, coolly extinguished their fires, and issued orders through their trumpets to form for action. Even amidst the roar of battle we could hear the thud of the balls mowing down their files, the cries of the wounded, and the cool and clear orders given by their officers. 'Steady men, steady!' 'Remember you are Britons!' was sounded from rank to rank. The fire on both sides was rapid and continuous. In the heat of the engagement a company of our regulars changed their position, to make room for a battery. In making this movement they encountered a company of Tennessee riflemen, and it being too dark for recognition, and each company out of position, they opened fire upon each other at short distance, and soon closed in a general hand to hand fight. The brave Col. Lauderdale, recognizing from the familiar yell on both sides, the fatal mistake, rushed in between them and commenced knocking down their guns with his sword, but lost his life in the fray—the saddest incident of this night attack!

"Finally the British, after having suffered severely, fell back, and we contented ourselves with the occupation of the ground. Our command was posted as sentinels, from the levee to the swamp, in front of and near to the British line. When day-light appeared their dead and wounded covered the field."

Night engagements are hazardous, but this one, unquestionably, saved New Orleans. Had the enemy concentrated his troops and advanced before this attack. Jackson would have been compelled to abandon and burn the city. One-third of his forces had not arrived, and he had no defences. But the audacity of this attack, and its success, produced a great moral effect. It persuaded the British that Jackson had his whole army on hand, and knew how to handle it against their veterans; and it inspired our men with new confidence in their General, and shook the prevailing impression of the invincibility of British regulars, fresh from their Peninsular triumphs over the marshals of Napoleon. It gave time for re-inforcements to arrive, and for earth-works to be constructed. More than all, it paralyzed the English for many precious and critical days; made them timid and doubtful about moving until they had received and marshaled their entire array, and when they did come, on the 8th of January, we were ready for them.

On the morning of the 24th of December, Jackson had all his infantry throwing up earth-works. Volunteers came flocking in by land and water, singly, in squads and by companies.

"Our first breast-work," says Mr. Trimble, "was some three miles above the British line, a ditch about six feet wide, and a bank of earth about four feet high, extending from the levee to the woods, some six hundred yards. At the extremity, next the levee, a bastion was constructed. A lot of cotton bales piled on the shore there, was used in making the bastion. Half a mile up was

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a second ditch and breast-work, and still another in the rear, our General evidently intending to fight, if necessary, from one to the other.

"Our dragoons were kept constantly in observation, in front of the enemy, and we had frequent skirmishes with pickets and reconnoitering parties. We made no fires. Just after dark every night the British would kindle their fires, and then our riflemen would pick them off. Many of their sentinels were killed. Gen. Packenham sent a flag to complain of this shooting of sentinels as barbarous warfare, and that in the wars of Europe the pickets of opposing armies drank water out of the same stream. Jackson said this was a war of invasion, and he ordered his men to capture and kill every man within the range of their guns. On Christmas day my mess-mate, the late Lieut. C. Harris, and I, were eating our ration; Col. Hinds rode up and pointing to some seventy or eighty horses grazing between us and the enemy's lines, ordered us to drive them in. He interpreted our look to mean that we thought it a dangerous duty, and he cried out: "Dash on, boys! If you are killed I will recover your bodies, if it takes every man in the army to do it." They were Tennessee horses, that had got loose in the night, with their bridles and saddles on, had strayed round the army and were now nearer the British than to us. We started and part of the way were concealed by a strip of sugar cane, but on passing out of it found ourselves in full view of the British army. It was very ticklish, and we looked back at the thicket of sugar cane, but there, where we had left him, sat our stern old Colonel, with his eye upon us, looking like an equestrian statue of iron. We dashed around the horses just as the whole line of musketry opened upon us. This fire wounded several of the horses and startled the others, and shouting and yelling, with the balls whistling around us, we drove them within our lines.

"On the 30th of December the famous adventure of the ditch occurred. Col. Hinds reported at headquarters that his pickets had detected a strong party of the British creeping up a wide and deep ditch traversing the field before us. Some doubt being expressed, he obtained permission to make an immediate reconnoissance. He formed the battalion, and said: "*Boys, you see that big ditch! It's full of red-coats. I'm going over it. Whoever wishes may follow me. Whoever chooses to stay here may stay!*" And off he went at full speed, and every man close behind him. They leaped the ditch, which was crowded with soldiers, made a circuit in front of the British lines, and charged over the ditch a second time, each dragoon firing his pistol on the astounded soldiers, as they bounded over. The whole affair was phenomenal and almost supernatural, and apparently stupefied the crouching red-coats. But they recovered in time to give us a general volley, which wounded several of the troops, and tumbled over a number of horses. L. C. Harris and Charles H. Jourdan, each got a bullet in the right shoulder.

Gen. Jackson, in general orders, referring to Hinds and his command, in this affair, said: "*They were the pride of one army, and the admiration of the other.*"

"On the night of the 7tn," says Mr. Trimble, "we were driven from our position in front, and compelled to fall back by an overwhelming force. There was a scattering fire during the night, and the note of preparation in the British camp could be distinctly heard. Our troops were in arms, and in their proper places, at break of day. Our cannon bristled on the breast-work from the levee to the woods, and behind this was our long line of riflemen. One hundred and fifty yards in the rear sat our grim old colonel on his charger, with the whole of the cavalry, We were placed there to cover our army, in the event of its being compelled to fall back to the second position. As it turned out, we were merely silent spectators of the dreadful battle that ensued.

"About sunrise the whole British army was in motion. They advanced in solid columns, at a slow, measured step, throwing a shower of congreve rockets, and with a continuous artillery. Our batteries and the destructive fire from the schooner Louisiana, made terrible gaps in their front and flank, but these were immediately filled up. And on they came as steady as though on dress parade, until they got within range of our rifles, and then the havoc was dreadful. Three times they recoiled and were rallied again by their heroic officers, who led them up to our intrenchments. Three of these brave

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leaders were shot on our breastwork, while waving their swords and shouting to their men to follow. By this time the commander-in-chief and the two senior British generals had fallen; scores of officers and hundreds of men lay dead or dying on the field. The British had displayed their hereditary valor, illustrated on a thousand battle-fields, and not in one more conspicuously than in this, but they now sought the cover of a canal, and the mighty conflict was over!"

In this great battle which has been described here, in the words of a venerable citizen, then a private in Hinds' dragoons, it will be seen that our Mississippians took a distinguished part. Another Mississippian, the late Col. Chotard, is thus referred to by Gen. Jackson, in his report of the battle of 23d December: "Cols. Butler and Piatt, and Maj. Chotard, by their intrepidity, saved the artillery." In the battle of the 8th of January, Maj. Chotard was on the staff of Gen. Jackson, and was wounded by a shell near the Villere mansion. He was a most accomplished and gallant officer.

There was present, too, the veteran Mississippi partisan, Capt. Sam Dale, who took part in the combat with his unerring rifle. He had traveled night and day from the Creek Agency, in Georgia, with a dispatch from the Secretary of War for Gen. Jackson. Crossing Lake Ponchartrain from Madisonville, he landed at Fort St. John, at day-light on the 8th. Quartermaster-General Piatt mounted him immediately, in charge of an orderly, to guide him to headquarters on Royal street. There he learned that the general was below, with the army, confronting the British. But he shall tell the story in his own words:

"Galloping through the city, and down the river side, I heard the roar of artillery. The battle was in full blast. I gave my horse to the orderly, and rushed to the intrenchments. It was a magnificent vision. Our men stood silent and resolute, with their guns cocked. The enemy were advancing in deep columns, with loud cheers. Their martial approach to our lines, in the open field—the fearful recoil, as whole detachments were swept away by our batteries and the terrible flank fire from an American schooner in the river—and the heroism of their generals, who rushed to the front, and led their men into the jaws of death and died there with them—was a spectacle so sublime that, for a moment, it silenced the clamor of the conflict, and inspired every one with awe and admiration. There was a mutual pause; for several minutes an awful stillness prevailed; not a gun was discharged; not a shout was heard. The British slowly reformed for the third time, and advanced to the assault. And then there burst forth along our whole line, a blaze of fire, a crash of small arms, a deafening roar of cannon, and when the dim smoke rolled away, the field was covered with the fallen, and the British columns, shattered and broken, were in retreat—not flying ingloriously, but staggering back, like men reeling under unexpected and overpowering blows."*

A gallant company of Natchez riflemen, led by Capt. James C. Wilkins, by the most strenuous efforts, reached the city on the 8th, at an early hour in the morning. They were hurrying to the battle-field, when they perceived the American forces on the opposite bank of the river, in great confusion, retreating before a British regiment. Having received no orders, it occurred to Capt. Wilkins that the best service he could render would be to cross over and re-inforce our defeated party. A couple of plantation ferry boats enabled him to cross, and he immediately took a strong position behind a ditch, and sent Lieut. Bingaman to report to Gen. Morgan. A number of fugitives here joined him. While calmly waiting, determined there to

* Claiborne's Life of Dale.

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check the enemy or die, Col. Thornton, who had been driving our disorganized forces before him, suddenly fell back. He had just been apprized of the disasters on the other side, and ordered to re-cross the river. Gen. Jackson highly appreciated this military instinct and gallantry of Capt. Wilkins, and it laid the basis of a life-long friendship between them.

The Hon. George Poindexter, then U. S. Judge for the district of Mississippi, was in the battle of New Orleans, as a volunteer aid of Gen. Carroll. And an incident that occurred was made a scandal and the foundation of many bitter attacks on him. This will be referred to and explained in a subsequent chapter.

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CHAPTER XXIX.

IN 1811,* and until 1817, Mr. Poindexter, and his successors, were actively appealing to Congress for a division of the Territory. It was shown that there had existed in the Mississippi Territory, a temporary government founded on the ordinance for the government of the territory northwest of the river Ohio, since the 11th of April, 1798. That although this ordinance had undergone some modifications, extending in a limited degree, the rights and privileges of the citizen, it still contained provisions incompatible with political liberty, and unfavorable to a due administration of justice. The chief magistrate was charged with the execution of the laws; was commander-in-chief of the militia; had the sole power of appointment to offices, civil and military, within the territory, and the removal of these officers at pleasure; was vested with an unqualified *veto* on all bills passed by the legislature, and with arbitrary authority to prorogue and dissolve that body whenever, *in his opinion*, it should be expedient. These imperial prerogatives, appertaining more to an absolute monarchy, than to a free State, were confided to the discretion of a magistrate, who was neither chosen by, nor responsible to the people. He was generally a total stranger to

*This was the year of the alarming series of earthquakes that shook the whole western country and destroyed New Madrid. The following graphic account was written by Capt. John Davis, Natchez, January 5th, 1812, to a friend in Virginia:

"We arrived at night on the 15th of December, at the 25th island, and on the 16th, at ten minutes past 2 o'clock a. m., we were surprised by the greatest emotion that can possibly be supposed of the boat, which I could compare to nothing more picturesque than that of a team of horses running away with a wagon over the most rocky road in our part of the country. There were forty boats in the company, and each thought his boat adrift and running over the sawyers; but a man on board a boat lashed to us hinted it to be an earthquake. An old navigator of the river just above hailed us, and said it was occasioned by the banks falling in. We were under a bluff bank, which immediately cast off, and fell in about a quarter of a mile, which drew us into the current on the right side of the island, which was much the shallowest, where we staid till day; but in the intermediate time we experienced about fifty partial shocks, which shook our boats with great agitation. At 7-12 we heard a tremendous distant noise, and in a few seconds the boats, island and mainland became perfectly convulsed, the trees twisted and lashed together, the earth in all quarters was sinking, and the water issued from the center of the twenty-fifth isle, just on our left, and came rushing down its side in torrents, and on our right there fell at once thirty or forty acres of land—some say 300 acres—but as I was till then perfectly collected, and, although then much alarmed, was less so than any person in the company. The shocks at this this time became frequent at about every fifteen minutes; the

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the people, and the local interests of the country, over which he possessed such unlimited control, and was accountable for mal-conduct or corruption in office only to the President of the United States. The only security which existed against the abuse of these powers, was in the mild and conciliatory disposition uniformly manifested by the general government towards its territories. But experience has shown that in all colonial governments, officers situated at a remote distance from the tribunal to which they are responsible, frequently "feel power and forget right," and by eluding investigation, are enabled to practice acts of oppression with impunity.

Executive powers, like these, are obnoxious to those principles which form the basis of the federal constitution, and which are transfused through the constitutions of the several States. The people had no voice in the choice of those who administered the laws; and public functionaries were, to a great extent, independent of public opinion. Both justice and sound policy recommended the advance of the Territory to the grade of a separate commonwealth, whenever it contained the number of inhabitants necessary to entitle it, under the ratio established by law, to a representative in the Congress of the United States. With regard to population there was no difficulty, whether the Territory should be taken in connection with West Florida, or with its existing limits. From the official returns of the census, made in 1810, it appeared that there were in the Mississippi Territory forty thousand, three hundred and fifty-two souls. This enumeration really fell considerably short of the actual population of the Territory at that time. Owing to the vast area over which the settlements were dispersed, and the remote and isolated position of many of them, the census had been imperfectly taken. It was argued, that the progressive emigration from the old States, added to the length of time which it would require to form a constitution and put the same in operation, gave assurance, that before the admission of the Territory, the number of inhabitants would amount to at least sixty thousand, which would give the right, in conformity with articles of cession and agreement between the United States and Georgia, to be admitted into the Union on an equal footing with the original States.

This view of the subject was presented without reference to the augmentation of population, which would result from the annexation of West Florida, if it should be added to the Territory. In that event the number of souls in the Territory, exclusive of the county of Madison (which was in the great bend of the Tennessee river), might

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water rose from the first shock, till about 8 o'clock that day, seven or eight feet perpendicular, and the current ran seven or eight miles per hour, as we ran from Twenty-fifth Island and landed on Flower Island, a distance of thirty-five miles, in five hours and twenty-five minutes, and lost half an hour endeavoring to make a landing at the lower end of Nine-mile reach, which place and Ten-mile reach were in perfect commotion. The logs, which had sprung up from the bottom of the river, were so thick that it appeared almost impossible for a boat to find a passage. There were three boats sunk, two of which belonged to Mr. Jas. Atwell, and laden from Kentucky, in value about $3,000; the other, a family boat. The logs and roots we passed had the sand and mud on them, which, probably, for many years lay in the bottom of the river, and which gave the appearance of timbered fields from Nine to Ten-mile reach, so that it appeared as if the order of nature had been reversed. We experienced frequent shocks of earthquakes for eight days, and I have heard of no place more convulsed than where I was."

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be estimated at about 80,000. And from the geographical conformation of the territories belonging to the United States, south of the State of Tennessee, and north of the Iberville and the lakes, it was argued by Mr. Poindexter, that an alteration of the limits so as to include the whole population between the Yazoo and the Iberville, where they unite with the river Mississippi, and from these points respectively east to the boundary line of the State of Georgia, would greatly contribute to the convenience and prosperity of the inhabitants.

At a very early period after the treaty of 1763, between France and Great Britain, by which the latter became possessed of the Floridas, the jurisdiction of the province of West Florida was extended north, by a line drawn from the mouth of the Yazoo, due east of the river Chattahoochie. The government of Spain, also, when that power succeeded to the possession of the country by conquest, in 1781, continued to exercise authority over it, in the same extent which the British government had exercised, until by the treaty concluded between the United States and Spain, on the 27th of October, 1795, the southern boundary of the United States was declared to extend to the thirty-first degree of north latitude. The government of the United States, by the treaty of 1803 with France, having acquired Louisiana in the extent that France then held it, and that it had in the hands of Spain prior to the treaty of St. Ildefonso, there could be no doubt as to the claim of the United States to the country east of the Mississippi as far as the river Perdido, which lies between Mobile and Pensacola.

The entire tract of country formerly possessed by Great Britain, under the name of West Florida, and subsequently transferred to Spain, as forming a part of Louisiana, having fallen under the dominion of the United States, it seemed proper to re-establish its ancient limits, in conformity with the wishes of the people whose interests were immediately concerned. It was the duty of the government to make such a partition of its territories, on the waters of the Mississippi, as would be agreeable to the people occupying the same, with a due regard to the national policy. These objects could not be accomplished without a proper division of the sea-coast, acquired by the purchase of Louisiana. It was obvious that to confer on the State to be formed of the territory of Orleans, the whole extent of the sea-board from the river Perdido to the Sabine bay, as was then proposed and strongly supported, would give it an influence over the commerce of the western country, not expedient or politic. Although the legislative authority of the State could impose no tax or duty on articles exported from any other State, yet there are many important regulations which would materially affect the navigation of the numerous rivers, flowing through this country into the Gulf of Mexico, falling within the legitimate range of State powers. Among these may be enumerated the incorporation of navigation companies, and appropriations of the public revenue for the purpose of opening canals. Thus, by affording every facility to the trade passing down the river Mississippi to New Orleans, and by interposing vexatious obstructions to the commerce of those rivers emptying into the bay of Mobile and the lakes, that city would become a great emporium, to the detriment of those who inhabited the vast fertile and extensive

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region watered by the Tennessee, the Tombigbee, and Alabama, besides other important streams, affording outlets through the Mississippi Territory into lakes Maurepas and Pontchartrain. To guard against such contingencies, and to unite a people whose language, manners, principles and usages are assimilated, it was proposed that all that tract of country which Gov. Claiborne had taken possession of under the President's proclamation of the 27th of October, 1810, be added to the State to be formed of the Mississippi Territory, whenever the same should be admitted into the Union.

While Mr. Poindexter was thus struggling to acquire for Mississippi the whole country lying between the 31° of latitude and the lakes below, and which the people of that district earnestly desired, Gov. Claiborne of the Orleans Territory (who had already divided it and the present sea-coast of Mississippi into parishes), was urging its permanent incorporation with his Territory.

The Tombigbee politicians, led by Col. Joseph Carson and Col. James Caller, both influential members of the Legislature, who had heretofore deprecated continued union with the western counties and insisted on a division, now suddenly changed their ground; opposed any division and accused Mr. Poindexter of covertly opening the way for it by his proposition to annex the West Florida parishes! The following letter from Cowles Meade will explain the attitude of parties:

TOWN OF WASHINGTON, Jan. 3, 1812.

Hon. George Poindexter, Delegate in Congress:

Since I last wrote a change has occurred here in the condition of affairs that you should be apprised of. A formidable opposition has developed itself against you. The whole delegation east of Pearl river has declared against you, with Franklin and Amite and Warren, part of Claiborne, Adams, Jefferson and Wilkinson. This formidable combination was instigated by Carson, Caller and Kennedy. The former was an open aspirant for your position, and was favorably considered by many Republicans. Many, including a number of your former supporters, appealed to me to be a candidate, to prevent a schism in our ranks, and the friends of Carson agreed to withdraw him in my favor. Upon this ground I consented, provided it met your approbation, declaring that you and I would never come in collision. While this matter was in abeyance, the President transmitted to me a commission as colonel of a regiment of volunteers, to be raised in this Territory and in Louisiana, and Carson received at the same time a commission as Major, which we have both accepted in the expectancy of war. I seized the opportunity to try and bring about a reconciliation between you and your opponents, and urged them to support you and avoid the evils of dividing the party. To this Caller and Kennedy have assented. Carson is now my guest, and I will press the subject on him. His present ground of opposition is that he believes you are, covertly, in favor of dividing the Territory. Satisfy him and others on this point, and some of your most violent opponents will succumb.*

Mr. Poindexter favored the annexation of West Florida, and then a division of the Territory by an east and west line, admitting the lower section immediately as a State, and establishing the upper for the time being as a Territory.

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* This was a radical change. Carson had been one of the earliest agitators for a division. It can be explained, perhaps, by his having lately by marriage allied himself to a powerful family in the west, then predominant in Adams, Jefferson and Claiborne. Cowles Mead and himself had both married daughters of Abner Green of Adams county.

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The following letter from a representative man, one of the most active and useful men of his day, sheds more light on this subject :*

TUSCALOOSA, December 23d, 1812.

Hon. George Poindexter:

MY DEAR SIR: A rumor which has just reached us would seem to render a visit here, on your way from Washington, expedient. The story is that it is in contemplation at our seat of government, among certain of our sapient legislators, to hold a caucus to nominate another for the seat you occupy. It was expected to be a strong demonstration, and some, whom I used to know as your friends, are mentioned as *dramatis personæ*. It is whispered that Col. James Carson, of Tombeckbee, is to be nominee. I know not what offence you have given, nor do I know anything of Colonel Carson, and his pretensions. But, I am morally certain that if you will show yourself here again, you will receive, at the least, two-thirds of the votes of this county. And I incline to think the authors of this scheme will be made to feel the recoil.

I notice your bill for the admission of the whole of this Territory, with a part of West Florida, has passed to a third reading in the House. It may therefore be too late to say anything concerning it. It may already have become a law. But I have some hope that it may be arrested by the Senate, with the view of making two States of our vast domain, giving to your section the right of admission now, and establishing our part as a new Territory. Not having seen the bill, I know not whether it provides for total and unqualified admission as one State, or whether it admits the whole now with the condition of subsequent partition; and if the last, whether the line is to be east from the Mississippi or north from the bay of Mobile. If it provides for entire and unqualified admission, I shall oppose it to the bitter end. It will be too large for self-government, and is too much beyond the dimensions of any other State in the Union. *And I love the Union too well to endanger it, even to render my own State powerful and pre-eminent.* I wish therefore to see it divided, because I would cut up by the roots all local jealousies—all collision between up-country and low-country interests. For this reason I would run the line from east to west. It may be that you have provided for a future division by such a line, and next to an *immediate* division in that way, such a provision would meet my views. And I have to ask of you—for I am persuaded that at bottom we think alike—if the bill should be returned to your House—that you exert yourself to obtain the one or the other. The first I prefer, because we should then be immediately to ourselves, and may manage our affairs in our own way. By the other we should be subject to the evils we have endured for several years. By a north and south line these evils would be prolonged indefinitely. Our white population here is nearly about the same as that of this Territory when it was admitted to the second grade of government, and I suppose that privilege would be extended to us at once.

Yours sincerely, J. W. WALKER.

Had the project for attaching West Florida to Mississippi Territory prevailed, the east and west line would, most probably, have been adopted. But Governor Claiborne succeeded in securing that fine district (now known as the Florida parishes) for Louisiana, conceding only to Mississippi the two sea-coast parishes, now known as the counties of Hancock, Harrison and Jackson.

Wm. Lattimore succeeded Poindexter in 1813, and in 1817 the Mississippi Territory was divided, the western portion admitted as a State, and the eastern organized as Alabama Terrritory. The line was drawn north and South, as it stands at present, and was recommended by Mr. Lattimore—a line adopted with regard to the population then existing in the Territory, which secured the immediate admission of

*This gentleman left four sons, Percy, Richard W., John J., and LeRoy Pope Walker, all of whom became eminent at the bar and in the councils of Alabama, and the latter was the first Secretary of War after the organization of the Confederate government.

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the western portion and opened the door for the eastern to come in two years thereafter.

The bill authorizing the western portion of the Territory to form a State Government passed January 21st, 1817, and a convention to form a constitution assembled in the town of Washington, Adams county, on the first Monday in July of the same year, in the old Methodist meeting-house, which had been built, mainly, by the efforts of Lorenzo Dow, the famous itinerant preacher.*

His Excellency David Holmes was elected President, and Louis Winston, Secretary. For personal respectability, moral worth and intelligence this convention was not inferior to any that ever assembled in any country, and was a fair representation of the people who had been so much traduced by Governor Sargeant.

Of Governor Holmes mention has been made, and this seems to be the appropriate place for some notice of a few of the most prominent members.

Josiah Simpson, a native of Pennsylvania, educated at Princeton, studied law, married Miss Stewart near Fredericksburg, Va., and in 1812 was appointed by the President one of the Judges of the Mississippi Territory, to succeed Judge Fitz. He resided at a place then called Green Hill, in the vicinity of Natchez, now known as Devereux Hall. Nature had given him a vigorous intellect, and being a close student, and very methodical in his habits, with great purity of character and simplicity of manners, he was fully equal to the high station to which he had been called. The bar before which he dispensed justice was extremely able—the people were intelligent, cultivated and wealthy—they had lived under three governments, and the due administration of the laws required a very extensive range of study and of inquiry. Judge Simpson soon impressed himself on the bar and the community as a man of great ability, learning and rectitude, and no man was more beloved. In this Convention—a position he would have avoided, but was literally forced into it by a universal call—he took a very prominent part, and his conservative character is impressed on the most important features of our first constitution. He died soon after the Convention dissolved.†

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*LIST OF DELEGATES.

Adams County—David Holmes, Josiah Simpson, James C. Wilkins, John Taylor, Joseph Sessions, John Steele, Christopher Rankin, Edward Turner.

Jefferson County—Cowles Mead, H. I. Balch, Joseph E. Davis, Geo. W. King, Cato West, Dr. John Shaw.

Marion County—John Ford, Dougal McLaughlin.

Hancock County—Noel Jourdan, Amos Burnet.

Wayne County—James Patton, Clinch Gray.

Green County—Laughlin McKay, John McRae.

Jackson County—John McLeod, Thos. Billbo.

Lawrence County—Harmon Runnels.

Claiborne County—Walter Leake, Thomas Barnes, David Bennett, Joshua G. Clark.

Warren County—Henry D. Downs, Andrew Glass.

Franklin County—James Knox.

Wilkinson County—Geo. Poindexter, Daniel Williams, Abram M. Scott, John Joor, Gerard C. Brandon, Joseph Johnson.

Amite County—Henry Hanna, Thos. Batchelor, John Burton, Thomas Torrence, Angus Wilkinson, Wm. Lattimore.

Pike County—David Dickson, Wm. I. Minton, James G. McNabb.

Louis Winston, Secretary.

† He left an only daughter, who became the wife of the Hon. Thos. L. Dobyns, a native of Mason county, Ky., who resided at Rodney, Miss., a leading lawyer and prominent politician, and died there in 1854.

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James C. Wilkins was a native of Pittsburg, Pa., of a very prominent and patriotic family. He came to Natchez at an early age, where some of his relatives had preceded him, and during his whole life was largely engaged in commercial affairs. His marriage first in the Bingaman, and afterward in the Minor family, secured for him great influence, and resources, and he had a mind capable of brilliant conceptions and the utmost energy of action. In connection first with Wm. Kenner, and afterward with John Linton—both Virginians and eminent merchants—he controlled for a long time the commerce of Mississippi, and nearly all the cotton it produced. He was very prompt—rapid in his decisions—brusque and incisive in manner—somewhat imperative—impatient of opposition—but with a heart as tender and a sensibility as delicate as a woman's. Of all men whom I have known he was the most impulsive, generous and forgiving. He was the counsellor of the old, and the guardian and patron of the young. The widow, in her distress—the debtor, when pressed by embarassments—the enterprising, when they saw an opportunity that only needed a little aid to make them independent—the orphan, left desolate and destitute—all found in him an unfailing resource. For all these—for hundreds all over the State, he incurred liabilities with a free heart and a lavish hand. No man now living knows the wide sweep of his charities, and the many fortunes he built up for others, by giving them the use of his means and his credit. He was impatient of thanks, and would not listen to them. In 1815 he raised a company of volunteer riflemen, and took part in the defence of New Orleans. He had all the qualities to make a great soldier, had he dedicated his life to military pursuits. In his latter years, owing to great commercial revulsions—chiefly, however, by failures of others whom he had endeavored to sustain—this eminent man saw the wreck of his splendid fortune. But the unsullied honor that distinguished his whole life never lost its lustre. He died just in time to escape the great changes and calamities that fell upon a people whom he loved so well.

John Taylor was from West Chester, Pa., the son of a deputy sheriff who owned a small farm near the village. The boy worked in the summer and went to school in the winter. He was frequently in attendance on his father in the sheriff's office and court-house, and seeing the respect and attention paid to the judges and the bar, it inspired him with a resolution to become a lawyer. With a very limited education, which was apparent in after life in conversation and even in his most impressive speeches, he entered a lawyer's office in his eighteenth year, and at court assisted his father, and there obtained a practical knowledge of proceedings In 1804 he obtained his license, and immediately moved to St. Louis, then the capital of upper Louisiana, and put up his shingle. In 1805 he went to New Orleans, but finding the bar crowded with adventurers, he returned up the river to Natchez. The May term of Superior Court was then in session. There was a criminal case then pending, which from the character of the parties, excited peculiar interest. Young Taylor volunteered for the accused and displayed remarkable acuteness and dexterity in the examination of witnesses. His speech to the jury was rough but forcible. It betrayed his ignorance of grammar, but wonderful mental power. Evolving from the complicated and contra-

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dictory testimony a single strong point, drove it in to the heart of the case, and contrary to all previous opinions, obtained a verdict of acquittal. He was immediately retained in a dozen cases, and in a few weeks had an extensive practice. Mr. Taylor was seldom seen except in his office or the court-house. He had no political aspirations, but was often elected to the Legislature, and in 1817 was sent to the Convention, where he took a leading part. In 1818, three judicial districts having been established, he was unanimously elected by the Legislature Judge for the second district, which included the city of Natchez. The three District Judges constituted the Supreme Court of Mississippi, and John Taylor was our first Chief Justice. In this tribunal, as well as on the circuit, he commanded universal confidence and respect. He lived simply, in bachelor apartments, his favorite companions the great expounders of the common law. He had no ambition for office or for wealth. His practice, and afterwards his salary yielded a sum far beyond his wants, and he usually loaned the surplus to personal friends, *always without interest.* He died in Natchez, in the meridian of life, in 1823.

Christopher Rankin, who became distinguished as a lawyer and politician, was born in Pennsylvania, and educated at Cannonsburg. Receiving his diploma, he went to Georgia, and obtained a village school, and while thus engaged studied law, and in due time was licensed. Many Georgians had emigrated to Mississippi—it having once constituted the county of Bourbon of that State—and they induced him to remove. He took up his residence in Liberty, Amite county, in 1809. He was well read, studious, very careful in the preparation of his cases, strictly moral and temperate, mild and persuasive in his manners, and rapidly acquired practice, reputation and popularity. In 1816 he removed to Natchez, and became the partner of Charles B. Green, then an eminent lawyer, who soon after retired and turned his lucrative practice over to Mr. Rankin. In 1817 he was elected to the Convention, and was one of its leading members. He came out of that body with so much reputation that when the first Legislature met, his friends placed him in nomination for the Senate of the United States. The contest, however, ended in the election of Walter Leake, who had been one of the Territorial Judges, and Thomas H. Williams, who had been Register of the Land Office, Land Commissioner, Secretary of the Territory, private secretary of Governor Claiborne, and Collector of the Customs, New Orleans. In 1820, he was announced as a candidate for Congress against the Hon. George Poindexter. Mr. Poindexter considered himself invincible, and underrated the strength of his adversary, who traversed every nook and corner of the State, while his competitor paid little attention to the canvas. Mr. Rankin was returned, and his first speech in the House of Representatives gave him reputation. He was re-elected twice thereafter, and died in Washington, while a member of the House. He was a prudent, practical, sensible and industrious man, of unexceptionable character.

Edward Turner was a native of Fairfax county, Va., went early to Kentucky, and thence came to Mississippi in 1801. He married the daughter of the Hon. Cato West, of Jefferson county, a gentleman of great influence, at the head of a powerful family connection then pervading the Terrritory. Mr. Turner became Clerk to the Legislature,

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Register in the Land Office, Circuit Judge, delegate to the Convention, Judge of the Criminal Court of Natchez, Representative, Chancellor, Judge of the Supreme Court, maintaining in all of them the reputation of an industrious, conscientious and upright officer. He was an entertaining companion, of elegant manners, extremely hospitable, and greatly beloved. He died at his residence in Franklin county, before the "late unpleasantness."

Joseph Sessions, a native of Sampson county, North Carolina, came to Mississippi Territory in 1801, as a surveyor, then a very valuable vocation where there were so many conflicting land claims. He married the daughter of Joshua Howard, who had settled here, on Sandy Creek, in the county of Adams, when it was the British province of West Florida. Being a man of fine sense and commanding presence, and a good talker, the young surveyor rapidly became popular and wealthy, was repeatedly elected to the Territorial Assembly, then to the Convention, and afterwards as Representative and Senator from the county of Adams.

John Steele had been in office in the Continental army; was Secretary of the Territory in the time of Governor Sargeant. Was always greatly esteemed, and frequently a member of the Legislature. He died at Natchez, about 1816, unmarried, and far advanced in years.

Cowles Mead has been already mentioned.

H. I. Balch was a lawyer from North Carolina, to Tennessee, thence to this Territory. Some of his family figured in the State of Franklin, and afterwards in Nashville.

Joseph E. Davis, a native of Kentucky, came in very early life as a lawyer and settled near the now extinct town of Greenville, Jefferson county. He was the elder brother and guardian of Jefferson Davis, a name not born to die. He was a well-trained lawyer, a thorough man of business, a close, logical speaker, who made every word tell, mild in manner, but of cool and tried courage. He was often in official position, but more frequently declined it. He resided for many years on his extensive plantations on the Mississippi below Vicksburg, and as long as he lived impressed his opinions on the country. He died in Vicksburg, soon after the close of the civil war.

John Ford was a South Carolinian, who early settled on Pearl river—a farmer and a man of fine sense and unimpeachable integrity —of patriarchal influence—who has left numerous descendants who inherit his characteristics.

His colleague, McLaughlin, was from the settlement of Scotch Highlanders in North Carolina, who contributed so large and valuable an element to our early population—remarkable then and to this day for their industry, thrift and temperance and their clanship. They may be traced in one continuous chain from Union Church, Jefferson county, through Claiborne, Franklin, Copiah, Simpson, Lawrence, Covington, Marion, Greene and Perry, into Alabama—the same people representing the old historic clans of Scotland, strict Presbyterians, and in every neighborhood a school-house and a church. McLaughlin settled on Pearl river and accumulated a princely estate.*

Noel Jourdan was the son of a man who came out as sergeant of a French regiment with Count Rochambeau. He served until the sur-

* Governor Humphries was one of his sons-in-law.

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render of Cornwallis, and was finally discharged, on account of his ill-health, in the West Indies, and made his way to New Orleans. He established a bakery, and soon became a man of wealth. He obtained from the Spanish authorities a concession on the Catahoula, now known as Jourdan river, in the present county of Hancock, and went extensively into the breeding of cattle and the manufacture of tiles. His only son he educated in France. On his return he became Judge of the county, its representative in the Convention and in the Legislature, and was the most influential man, especially with the Creek population, in that quarter of the State. He subsequently removed to and became a large sugar planter in St. James, La., where he died.

Amos Burnet lived on Pearl river, at a place still known as Burnet's old field or bluffs, in the present county of Hancock. A man of limited education but strong mind and very much confided in. He was a brother of Col. Daniel Burnet, of Grindstone Ford, Claiborne county.

Gen. James Patton was one of the leading men of his day, of great personal popularity, and for many years was the most conspicuous man in East Mississippi. He resided in Winchester, then a beautiful village, which he made a centre of political influence, second only to Natchez. Judge Powhatan Ellis and Judge John Black, who both became U. S. Senators, commenced public life there under his auspices, as did several other prominent men. He was a man of courtly manners, a fine writer and impressive speaker; was elected Lieutenant-Governor and would have attained the highest honors of the State but for his premature death.

His colleague, Clinch Gray, was a lawyer of Virginia family, who came from Tennessee to Mississippi, a very estimable and popular man.

Greene county, in Laughlin McKay and John McRae, sent two worthy representatives of the Scotch clans, and so did Jackson in the person of "Long John" McLeod, who afterwards, for many years, was Senator from that district, and who was, at one and the same time, a cannie Scotchman and a true American.

Thomas Bilbo, his colleague, was a surveyor from Georgia—a man of intelligence—who subsequently removed to what is now Calcasieu parish, Louisiana.

Harman Runnels—the founder of the well known Runnels family—had been a hard fighting captain in Georgia, in the Continental army—had many a fight with the British Tories and Indians—was a Hard-shell Baptist—a devoted follower of Gen. Elisha Clark—was decidedly pugilistic in his temperament, and would fire up and fight, anybody and at any time, for a slur on his religion, his politics or his friend Clark. He had strong friends and bitter enemies, but he whipped the latter into submission, and with four sons to back him, (one of whom became Governor) as ready to fight as himself, he ruled the Pearl river country as long as he lived, and died an octagenarian, at Monticello, "in the order of sanctity." No truer patriot ever lived or died.

Walter Leake was a lawyer of Albemarle county, Va., sent out here as one of the Territorial Judges; a man of sound, solid sense and undoubted integrity. Became United States Senator, and subsequently was elected Governor of the State.

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Thomas Barnes was from North Carolina, representing a large family connection in Claiborne county—the Barnes, Humphries, Bridges, Willises, Moores, Freelands, and numerous others.

Joshua G. Clark was a lawyer from Pennsylvania, long settled in the Territory, and was our first Chancellor, which office he held at his death in Port Gibson, July 23d, 1828. Not a brilliant, but a solid, pains-taking, and well-read lawyer.

Warren county, in Henry D. Downs, sent an accomplished gentleman, of a family whose influence long swayed that county. His colleague, Andrew Glass, was a settler under the British rule, and was living at or just by the present site of Vicksburg, then known as Fort Nogales or Walnut Hills, where the Spaniards evacuated it in 1798.

George Poindexter will be the subject of a separate memoir. Two of his colleagues, Gerard C. Brandon, and Abram M. Scott, became, in turn, Governor of the State. As young men they both laid the foundation of their popularity in the regiment of volunteers under General Claiborne. Scott was from South Carolina. Brandon was a native of Adams county, son of a gentleman who came to the province when it belonged to Great Britain. They were both planters, men of high character and of great popularity. After a long term of service, during which he was never defeated, the former died on his plantation in Wilkinson county.* Governor Scott died of cholera in 1833, in Jackson, before his term of service had expired.

Daniel Williams was a North Carolinian, who came from Tennessee to Mississippi, a lawyer, was chiefly engaged in planting, and a man of decided talent. Died in the prime of life.

Gen. John Joor was a wealthy planter from South Carolina, of Huguenot extraction. The name was originally Ioor. A convivial, elegant gentleman, a "fire-eater" in politics, and an adept in the duel.

Maj. Joseph Johnson, a wealthy planter from Virginia, a sensible and useful man, whose brother Henry Johnson was Governor of Louisiana, Representative and Senator in Congress for many years.

Wm. Lattimore, of Amite, has been often mentioned. His colleagues, Hanna, Batchelor, Burton, Torrence and Wilkinson, were all substantial planters, of high and pure character, and a fair illustration of our best population.

Gen. David Dickson was a Georgian, an eminent physician, but with strong inclination for politics, and always prominent and influential in public affairs. He was not an orator, but an inimitable talker, full of information, anecdote and humor. He filled numerous responsible positions, and in 1835 was elected to Congress from the State at large. There were two tickets in the field for Congress, Governor and other State officers—one known as the Van Buren, and the other as the White ticket, both claiming to be Democratic. General Dickson, on the White ticket, and J. F. H. Claiborne, on the Van Buren ticket, were elected by large majorities. General Dickson was in bad health and continued to decline, and during the intermission of Congress died at the Hot Springs, in Arkansas.†

* No family in Mississippi sent out more representatives into the Confederate army; they fought and fell on nearly every field, and no taint of defection attaches to any of them.

† His colleague, Mr. Claiborne, announced his death, to the House of Representatives, as follows:

"MR. SPEAKER: It is only a few years since, when a student in this city, I witnessed, from that gallery, the affecting honors paid to the remains of Christo-

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Louis Winston, the Secretary, afterwards one of the Circuit Judges, was of the old Virginia Winstons, of Hanover county, which has produced many eminent men, distinguished in the annals of North Carolina, Alabama and Mississippi.

The first Legislature of the new State assembled in the town of Washington, in October, 1817, and continued in session until the following February, arranging the machinery for the new Government.

Walter Leake and Thomas H. Williams were elected Senators. At the first popular election David Holmes was elected Governor, and George Poindexter, Representative to Congress.

February 8th, 1818, two days after the adjournment, Edward Turner writing to George Poindexter, says:

"We happily, but with some effort, accomplished your wishes in regard to appointments. Mr. Harding was elected Attorney-General for four years. Mr. Reed* and Mr. Burton were run against him. After the first ballot Mr. Reed's friends went over to Burton, but we eventually elected our man. It has been made his duty to attend the General Assembly, and give his legal opinion when called on and to draft bills if required. He is likewise to attend the counties in the 1st and 2d judicial districts. We fixed his salary at $1,000, and $7 for every day of his attendance on the General Assembly. Wm. B. Shields is appointed Judge of the 1st district; John Taylor for the 2d; J. P. Hampton for the 3d, and Powhatan Ellis for the 4th district.† John A.

pher Rankin, the distinguished Representative of my native State. Since that period she has lost two Senators, Thomas B. Reed and Robert H. Adams, eminent for their talents and virtues. We are now called on to render the last homage to another.

"The time that has intervened since the death of my lamented colleague, saves me the painful part of being the first to communicate it to his friends now present. He died, sir, as he had lived through a life of many vicissitudes, with characteristic firmness, with but one wish ungratified—a wish so natural to us all—that, in the last, dark hour he might be supported by his nearest and best beloved, and the cherished ones that clustered around his hearth. Ah, sir, let death come, in what shape it may—in the battle, in the wreck, in prison or in the solitude of the cloister, it is appalling to human contemplation. No man can look into the dark, unfathomable abyss of the dread future, without a shudder. But when it overtakes us in a distant land, and we know that our last moments of infirmity and agony are to be witnessed by strangers, that we shall lie in an unwept grave, where no kindred dust will mingle with ours forever, and the last hope of home and family fades from the filmed view—oh, sir, this *is* death! this is to *die!* Such was the death of my venerated friend. "By strangers honored, and by strangers mourned!" His dying words were for the broken-hearted now in orphanage and widowhood—his last sigh a prayer for them. I can pronounce no studied eulogy on the dead. For thirty years he maintained a high position in the public service, and died poorer than when he entered it, leaving to his children only the riches of an honorable name. If it be praise to have lived beloved, and to die without reproach, then it is due to him. It only remains to pay the last honors to his memory—sad, because it breaks the only link that binds the living to the dead; solemn, when we reflect how soon—how very soon—some friend now present, may invoke the same tribute for ourselves!"

*Thomas B. Reed, a Kentuckian, of unusual talent and learning in his profession, but never personally popular. He was of haughty exterior, and manifested too much condescension and patronage when desiring to be familiar. He subsequently became Attorney-General, and afterwards, in spite of violent and formidable enemies, was elected to the Senate of the United States, and died while holding that office, in the meridian of his powers, and when he was just beginning to command success. When Mr. Reed first landed at Natchez his means were exhausted, and he had some difficulty in getting his baggage transported from the landing. At length a young white man, with his dray, volunteered to do it. In a few years the young lawyer stood at the head of the bar, and the kind-hearted drayman had become Sheriff of Adams county, a very lucrative office, which he held, for a series of years, until his death.

†Powhatan Ellis was a Virginian, with the blue blood of Pocahontas in his veins, an honor claimed by all dark complexioned people from that State. He

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Girault has been appointed Auditor, and Col. P. P. Schuyler, late of the U. S. A., Treasurer, in place of the late Judge Samuel Brooks. We have passed a health and quarantine law for Natchez, and extended the powers of the corporation, and finally have converted our bank into a State bank. The next General Assembly will meet in this city in January next."

Lyman Harding, confessedly the head of the Mississippi bar for many years, was born and educated in Massachusetts. When barely of age he went to Maryland and taught a school two years, during which he studied law, and obtained a license. Placing his trunk in a wagon for Pittsburg, he traveled on foot (as John A. Quitman did afterwards,) and thence on a flat-boat to Louisville, then a new town, in the first promise of its present opulence. Here he put up his shingle, and paid one month's board in advance at a very humble house of entertainment. Just as his month expired he was employed in a single case, traveled ten or twelve miles on foot to argue, and named a fee of four dollars. He handed this over to his landlord for a week's board, during which time, he hired himself as a hand on a flat-boat bound for Natchez, and in due time arrived there. The first territorial government had just been installed. New emigrants, merchants and planters were arriving every day. A brisk business was going on in lands, and much inquiry as to conflicting titles. Young Harding was soon discovered to be a well read lawyer, and an expert draughtsman, and he stepped at once into a profitable business. He had the proverbial talent of the New Englander for making money and knowing how to use it, and by 1805 he had over $10,000 at his command. He invested this in cotton, sent it to New Orleans, and went with it by sea to New York, where he sold it at a very large advance on the original outlay. He placed the proceeds in the hands of Wm. Biggs, a citizen of Natchez, to be invested in Maryland or Virginia in negroes, then a favorite article of merchandise with New Englanders. Biggs was a judicious trader, and in due time the negroes reached Natchez, and were sold, and Mr. Harding realized a snug profit of $5,000 on the transaction.

While Biggs was buying the negroes Mr. Harding visited Boston and there married the *divorcee* of a West India merchant, a lady of noble character, of great beauty and superior accomplishments. She became the idol of society in Natchez, but unfortunately she soon died. He now devoted himself exclusively to his profession, and his practice was the most lucrative in the Territory. He had no ambition for office; was a Federalist in his opinions, but not mingling in politics, and his great abilities and integrity being universally recognized, his best personal friends and clients were Republicans. They elected him Attorney General in 1817.

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was a man of very stately and courtly demeanor—of mild and polished manners—of amiable temper and extremely indolent habits. He talked but little, but had the art of making other people talk, and was a most patient listener. He was never known to look bored or to manifest indifference under the most drowsy conversation, and would sit for hours without ever changing his position, apparently deeply interested. He was, therefore, universally voted the most charming of companions, and was in great demand on all social occasions. On the bench he was equally attentive and patient with the most prosy speakers, and though proverbially slow, was universally popular. He never had an enemy. He was elected U. S. Senator, and after his term was sent to Mexico. He died in Virginia during the late war. We never had a purer or more honorable man in our service."

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Mr. Harding subsequently married the beautiful and accomplished daughter of Rev. Dr. Abercrombie, of Philadelphia, (afterwards the wife of D. Vertner, Esq., of Claiborne county.) In 1818 both his mental and physical powers rapidly declined. He died in 1820.

The career of George Poindexter covers so much of our early political history, his memoir will now be introduced. The history of his career is, in fact, the history of the Territory and the State, so closely and prominently was he connected with everything that occurred.

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CHAPTER XXX.

THERE was nothing romantic, picturesque or imaginative about Poindexter. He was neither fanciful nor classical, but a strictly logical, demonstrative, matter-of-fact man. Yet his story commences with a romance, which shall be told by his nephew, the Rev. A. W. Poindexter, in a letter from Richmond, 1860:

"In reference to the Poindexter family, I send you an extract from Taylor's *Lives of Virginia Baptist Ministers*, remarking that the authority for the facts was a MS. found by me among the papers of my uncle, the Rev. John Poindexter: 'The ancestry of Mr. Poindexter were highly respectable. His grandfather was a French Protestant, who for the sake of his religious opinions was compelled to seek an asylum in England. He carried with him a large family, and considerable means. Soon after his settlement there, one of his sons, Thomas Poindexter, became attached to a young woman of respectable parentage, whom he addressed, and who reciprocated his affection. As there was great disparity in their circumstances his father peremptorily forbade the connection, and the more effectually to prevent it, gave his son a handsome sum of money and sent him to Virginia to become a planter. Six months afterwards the woman he loved determined to follow him; and not having the means to pay her passage, she indentured herself as a servant for four years, and thus, with many others who obtained transportation by this species of service, she arrived in Virginia. The young Frenchman, who had now become a planter, repaired on board to procure one or more of these indentured passengers, when, to his astonishment and joy, he discovered the woman he had asked to be his wife. The meeting may be imagined better than described. He purchased the indenture, and repaired forthwith to the church. From this marriage sprung the Poindexters in the United States.'"

The father of George Poindexter, a Baptist minister, left seven sons, viz: John, Thomas, James, Gabriel, Robert, Richard, George, and several daughters.

John Poindexter was a Baptist minister, and for many years clerk of the court in Louisa county, Virginia, where he died in 1819. Thomas and James were respectable farmers, and lived and died in their native county. Gabriel and Robert removed in early life to Kentucky. Richard became a Baptist minister, and a prosperous planter in North Carolina.

George was the youngest, and was brought up under the care of his eldest brother, Rev. John Poindexter, and in his office doubtless acquired a practical knowledge of process and pleadings, so useful to him in after life. He was remarkable as a boy for his acuteness, but was restless, versatile, insubordinate and fond of a frolic. When quite

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young he professed a change of heart, was immersed, and became a member of the Baptist church. He soon left it for a singular reason. It was then the custom, in fashionable circles, to wear queues, and young Poindexter chose to follow the fashion. Some of the brethren considered this a violation of Paul's pronunciamento against long hair. Young Poindexter refused to part with it, and the consequence was his withdrawal or excommunication from the church.* The incident illustrates the man throughout his career. He was a stickler in small as well as in great things, fond of squabbling, would never give way a hair's breadth, and was, consequently, perpetually embroiled.

He was often sent to school, but could not or would not stay. The greater part of what education he had, he got in his brother John's office. "I had occasion," says James Poindexter, "to go to Kentucky, on business. I had not been there long before, to my great surprise, George presented himself. 'Why, what does this mean?' said I. 'I can't stand Brother John,' said he; 'he is too tight and exacting, so I have come to you.' 'Well, what do you wish to do?' 'Study law,' was his answer. I got him into the office of an attorney in full practice, and soon after returned to Virginia. I had not been there long before George made his appearance. 'Why, what brings you here?' 'Oh, I have left Kentucky for good. I won the confidence of my patron, and he entrusted me with his collections and paid me a per centage, and I got to gambling and frolicing, and he took his papers, etc., out of my hands. That implied suspicion, and I can't stand that. So I have returned to you.' 'What do you propose now?' 'I mean to be a lawyer.' I got him a situation in Richmond, and after reading three months he obtained license and opened an office at Milton."

Milton, not now on the map of Virginia, in Albemarle county, was then a new town that sprung up very rapidly under the auspices of the James River and Ohio Canal Company. He purchased a lot or two there, and obtained a fair practice, but the fees in those days, fifteen shillings and five dollars in ordinary cases, were scarcely adequate to meet the expenses of a young lawyer, who was fond of cards, wine, horse-racing and society. So he got in debt, and determined to emigrate. He did not abscond, as his enemies afterward reported, but he wasted no unnecessary time in leave-taking, nor did he ride round to advertise his creditors of his intention. He left a statement of his liabilities, and his professional business in the hands of Hugh Nelson, Esq., a leading lawyer of the circuit, (afterwards a prominent member of Congress and Minister to Spain) and authorized his brother John to sell his property in Milton, which at the then assessment of lots would probably have paid all his debts. Borrowing

*In 1798, the first United States troops that came down the Mississippi, were quartered at Fort Adams. General Wilkinson, Colonel Hamtramck, Major Butler, Captain Guion and other officers, became rather merry over their punch one night, and the General, by some accident, got his queue singed off. Next day he issued an order forbidding any officer appearing on parade with a queue. Major Butler refused to obey, and was put under arrest. He was soon after taken sick, and when the surgeon, Dr. Carmichael, informed him that he could not live, he made his will and gave directions for his burial, which, he knew, would be attended by the whole command. "Bore a hole," said he, "through the bottom of my coffin, right under my head, and let my queue hang through it, that the d—d old rascal may see that, even when dead, I refuse to obey his orders." These directions were literally complied with.

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£120 from Wm. Ragland, for which his brother was security, he left in September, 1802, made his way to New York, and sailed for New Orleans.

Poindexter, however, was mean in money matters, slow in paying his debts, and always cramped for funds. His lot, which he valued at $1000 cash, was finally sold for $500 on a long credit, and in 1810 he had not paid his brother, and was squabbling over the claim. "At a time," wrote his brother, "when you could not remain here, and could not go for the want of means, I borrowed that money for you, which no other man on earth would have done, and the payment of it, as you must know, has cramped me, and compelled me to stint my large family. Since I got the money for you, more than seven years have elapsed, of prosperity with you, and adversity with me."*

He arrived at Natchez about the close of 1802, and on the 18th of January, 1803, wrote his sister: "Here I am, without society, and without the hope of forming any." He was all his life subject to fits of despondency. When this letter was written he was in a strange community, proverbial for its gaiety, and perhaps without a dollar in his pocket. How soon he impressed himself on the public as a man of talents, and how rapidly he advanced, may be inferred from the fact that some four months after this gloomy letter, he was appointed by Governor Claiborne, Attorney General for the district west of Pearl river. "Your impressions," writes his sister, "of the ladies of your new country seem to be unfavorable. You, however, have this consolation, that you are not dependent on their beauty and graces for advancement in your profession. A man of business is not obliged to attend fashionable assemblies." Mr. Poindexter was not at any time a ladies' man, nor had he traits of character, nor the refined and deferential manners to make him a favorite with them. He was coarse and boisterous, with a loud, peremptory voice, and a decided inclination for courthouse and tavern circles.

As soon as his arrival at Natchez was known at Milton, Mathew Camden sent him a diploma or certificate of membership from the Widow's Son Lodge, No. 60, of that place, which he thought might be of service to him.

Mr. Poindexter's temper and associations perpetually involved him in altercations, and in newspaper controversies. In 1803 an anonymous commmunication appeared against him in the Herald, (printed at Natchez,) and he had a difficulty about it with Mr. R. R. Keene, which was settled by the intervention of Hore Browse Trist, who had been sent out here by President Jefferson as Collector of Customs, and was afterwards transferred to the Custom House, New Orleans, where he died.

In 1804 he married Lydia, the daughter of Major Jesse Carter, a wealthy planter of Adams county. His friend, Mr. Trist, wrote to him: "You have drawn a valuable prize in the matrimonial lottery. Her great beauty is, as far as I can judge, her least recommendation,

*In the Richmond Whig, February 23d, 1837, Poindexter explained the circumstances under which he left Virginia, but the narrative is written *couleur de rose*. According to his brother's letters he was much involved; could not stay without liability to arrest; could not go for the want of means, until his brother borrowed the money for him, which money as late as 1810 he refused to refund, on the ground that his brother should have made it out of his lot in Milton!

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for she blends grace and intelligence with every amiable trait that adorns her sex. Only preserve yourself an evenness of temper, dispel gloom when it assails you as your bitterest enemy, as well as too much levity, and your prospect for happiness will be bright indeed." Mr. Trist knew him in Virginia, and knew his failings; at times desponding, supercilious and quarrelsome; then volatile and wanting in dignity, with a decided inclination for rowdyism.

In 1805 he quarreled with Abner L. Duncan, then a leading member of the Natchez bar;—charged him with having used towards him disrespectful language, and recommended him to be more careful thereafter, on pain of serious consequences. Mr. Duncan denied using the expressions; but said "if you believe that I used such language you should not hesitate in making me accountable."

In 1806 he was elected member of the Territorial Assembly, from the county of Adams, and by that body was chosen delegate to Congress over Cowles Meade and Thomas H. Williams.

In 1807 he figured both as a military man and as counsel for the United States in the arrest and prosecution of Aaron Burr, by the Territorial authorities, without adding much to his fame, Col. Burr had seen more service and was a better soldier than any of those concerned in his capture, and in Kentucky and in Richmond, as well as in this Territory, he proved to be a better lawyer than any of those who undertook to convict him.

February 13th, 1808, as his term of service in Congress was drawing to a close, he addressed the following circular to his constituents. It is a reliable record of our advance from the first and second grades of our territorial organization, and it explains the relations our country held at that time with England and France—relations that directly affected the people of this Territory:

WASHINGTON CITY, February 13th, 1808.

DEAR SIR—In compliance with the obligations of my duty, I now communicate to you, the several acts which have passed during the present session of Congress, in relation to the local police, and internal welfare of our territory.

The act extending the right of suffrage, in the Mississippi Territory, and for other purposes, passed the House of Representatives, in its most desirable shape, requiring that the elector should be a citizen of the United States, resident in the Territory one year, and have paid a tax assessed, at least six months previous to an election. This qualification would have extended the elective franchise to the great body of the community, liable to perform militia duty, and subject to bear a portion of the public burdens; which in my judgment is a right inseparable from freemen, and cannot be abridged, without an infraction of the principles on which our republican institutions are founded. Another consideration also, rendered me particularly solicitous that this just and liberal system should have been adopted. The payment of a tax is a matter of fact, capable of direct and immediate proof, by a reference to the roll of the tax collector, who is an officer of public responsibility, and therefore, no fraudulent voter could have imposed himself upon the inspectors appointed to preserve the chastity of Elections. Experience has shown us that the free-hold qualification is liable to the abuse of fraudulent conveyances made for the express purpose of enabling a dishonest candidate to obtain a factitious majority over the virtuous and worthy citizen who will not stoop to the violation of the plain dictates of morality, and the known laws of the land, to acquire either surreptitious fame or illegitimate power; but the Senate, for wise reasons, no doubt, thought proper to restrict the right of suffrage to the holders of real estate.* I assented to this modification because its provisions are more expan-

*The free-hold qualification had led to many abuses in the Territory. The Mississippi Messenger of July 8th, 1808, referring to a recent election, says:

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sive than those comprised in the ordinance for the government of the Mississippi Territory. There were numerous citizens of wealth and respectability, residing in the city of Natchez and other small towns in various parts of the territory, owning town lots of considerable value, who were not heretofore enabled to vote for representatives to the general assembly; to this class of citizens, and to purchasers under the United States, and also to those possessed of equitable estates in fifty acres of land, the right of suffrage is extended. I therefore trust, that although the law may not meet our wishes in their fullest extent, it will put the subject at rest until the arrival of that auspicious period, in which we shall be entitled to the enviable privileges of self-government. In the formation of a constitution suited to the genius of a free people, the elective franchise will be fixed on the basis of equality as the best means of securing the liberty and independence of the citizens. The second section of the act authorizes an apportionment and augmentation of representatives, in the several counties of the territory, provided the whole number does not exceed twelve. As I have no doubt, that an immediate convention of the legislature will be deemed expedient by the executive for the purpose of making the necessary apportionment previous to the next election, to give the people a full and fair representation, in the general assembly, permit me to express a wish, that of the number assigned to the county of Adams, one may be be designated, as the sole representative of the City of Natchez. A regulation of that kind would put an end to the collision, which so often arises between a supposed conflict of city and country interest, and thereby destroy the prevailing jealousy which has tended to ferment the public mind, and to sever the social obligations which ought always to exist in a country of refinement and civilization. I am impressed with the belief that the measure would meet the approbation of the citizens of Natchez, as it would increase their importance as a corporate body, and at the same time remove the inconvenience of attending elections at a distance from the circle of their respective employments. The third section of the act transfers the right of choosing a delegate to Congress, from the legislative council, and House of Representatives, to the great body of the people. There are many reasons why this change in our system of government is proper. No principle is better supported by reason and common sense, than that which recognizes the people as the source from whence all power must flow. If an individual is to be entrusted with the care and management of the general concerns of a community he ought to possess their entire confidence.

A man who is deemed unworthy of public trust, cannot now be imposed upon the people of the territory without their consent; and it is surely much safer to confide the choice of a representative to the general suffrage of the territory, than to the two houses of the legislature, who may often select an individual, whose pretensions would not pass the ordeal of public investigation. The conduct of your representative will be submitted to your impartial judgment and discretion; if it be meritorious your grateful approbation will constitute his best reward, and form around him a bulwark impenetrable to the shafts of calumny and detraction, while he who violates the sacred confidence reposed in him will meet the frowns of his fellow citizens, and be consigned to obscurity, branded with public disgrace, and detestation. I rest satisfied that this new privilege will be exercised with that sound discretion and prudence which is calculated to prove its utility, and to produce the most favorable result to the territory. An act extending the right of preemption to actual settlers on public lands on the third day of March, one thousand, eight hundred and seven, who have complied with the requisitions of the act, passed at the last session of Congress, prohibiting settlements on lands ceded to the United States until authorized by law, has also met the sanction of the national legislature. The provisions of this law are as extensive as they

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"Several *patriotic* citizens of this city exerted themselves to create voters, to defeat the Republican ticket. Gov. Williams opened an office for this purpose. Every drayman, alien and free negro in the city hostile to our government became, by magic, a Freeholder."

A still more flagrant instance occurred in Louisiana—the infamous Plaquemine fraud by which hundreds of fraudulent Freeholders were made and the vote of the State was cast for James K. Polk, when it was unquestionably due to Henry Clay.

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could have been made without a departure from that system which the government of the United States has adopted for the disposal of the public lands. The quantity of land is limited to one section to be surveyed according to sectional lines, but that quantity may be produced from two adjoining sections, so as to include the whole improvement, which an actual settler may have made, on a part of each section.

If a claimant chooses to locate one-half of Section No. 5, and one-half of section No. 6, adjoining thereto, making in the whole six hundred and forty acres, if thereby he does not interfere with the claim of his neighbor, I am of opinion that he may do so under the limitation contained in the first section of the act. The tract of land claimed may be reduced to one quarter section at the option of the settler, but a smaller quantity cannot be granted. With a view to secure those emigrants who have settled on lands, claimed by virtue of ante-dated Spanish patents and British patents held by absentees, I have excepted only such lands as are claimed by virtue of a certificate from the boards of commissioners, east and west of Pearl River, and inasmuch as antedated Spanish patents and British patents, held by persons who do not reside in the territory, are directed by law to be reported to Congress for consideration, persons resident on lands held under these titles, will obtain a certificate of preemption from the United States.

The time fixed for filing notices of these claims is the first day of October next, and on the first day of January next the first payment of the purchase money will be required.

The committee on public lands have agreed to report a bill authorizing the President of the United States, to direct the sale of that portion of land in the territory, which may belong to the United States, and which is now in a situation to be offered for sale, and so on progressively from time to time, until the whole is purchased. Consequently future emigrants will experience no embarrassment in procuring lands from the government at the moment of their arrival in the country. This regulation will be a security for the increasing population of the territory, and the law respecting preemption is a guarantee to those who have made improvements on lands heretofore.

I therefore hope that every fear, with respect to the justice of the government, towards our distant and insulated country, will be dispelled, and that these measures will inspire the most perfect contentment and satisfaction.

It is with much pleasure that I communicate to you, the final ratification of the Choctaw treaty. A bill is now on its passage in the House of Representatives making the necessary appropriations for carrying it into effect, and I apprehend in the course of the present year, an office will be opened for the sale of lands in the district of country ceded by that treaty to the United States. The various local and political advantages, resulting not only to the Mississippi territory, but to the Union at large, from the acquisition of that tract of country, are so well known to you, that it would be a waste of time to say any thing on the subject. It cannot fail to invite an influx of population into the territory which must in a short time enable us to add another star to the American constellation, an event not more desirable to ourselves than to the general government.

The board of commissioners West of Pearl River has made no report on the several descriptions of claims, directed by law to be submitted to Congress for consideration. The want of this report has induced the committee on Public Lands to delay an investigation of the other questions respecting titles to land in the territory, in the hope that it would arrive, at a convenient period to be acted on, during the present session of Congress. I have however thought it advisable to draw their immediate attention to the situation of persons claiming lands under warrants of survey granted by the British and Spanish governments, whose claims were not confirmed by the original law "regulating the grants of land, and providing for the disposal of the lands of the United States, south of the State of Tennessee." On these claims a decision will be had in a few days, and I shall take the earliest occasion to inform you of the result. In relation to the county of Washington, particularly, the committee on public lands have agreed to report in favor of an extension of time, until the first day of October next, to enable those who were entitled to certificates of preemption, to introduce the proof

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necessary to obtain a right of donation on the 30th day of March, 1798, and to exchange the preemption for a donation certificate. They have also agreed to allow, until that time, for persons whose residence above the line of demarkation between the Spanish colony of West Florida and the United States, has been recently ascertained, to file their respective claims with the register of the land office, and receiver of public monies, east of Pearl River, to be enacted on in the same manner as other claims have been in that district. All the other matters relative to the territory, generally, or to individuals, will be attended to with every degree of vigilance and dispatch which circumstances render practicable.

Among the laws of a general nature which have passed during the present session, the "act laying an embargo on all ships and vessels within the ports and harbors of the United States," is calculated to excite the deepest interest and solicitude in the Mississippi territory. This measure was not only *justified* by existing circumstances at the time the law was enacted, but it was demanded by the dictates of imperious necessity. Subsequent events have tended to show the increasing dangers to which our commerce would be exposed, and the opinion derives additional strength, that this precautionary expedient will produce the most salutary consequences to the nation. France by enforcing a rigid observance of her decree of the 26th of November, 1806, declaring the British Islands in a state of blockade, had interdicted all commercial intercourse between the United States of America and Great Britain, and all merchant vessels bound to or from a British port, having on board goods, wares and merchandize of British origin, were subject to capture, and condemnation by the prize courts of France. Spain, also, had adopted a similar policy. Great Britain, by an order of the 11th of November, 1807, declared all the ports and places of France and her allies, or of any other country with whom she is at war, and all other ports or places in Europe from which the British flag is excluded, and all ports or places in the colonies of their enemies, to be in a state of blockade, and vessels bound to or from such countries or colonies, are subject to be captured and condemned as lawful prize to the captors. Thus the ocean presents to us a theatre on which plunder, piracy, robbery and murder are legitimatized by the belligerent powers of Europe, and the alternative left to the American nation is either to participate in the disgraceful scene, and brand our national character with infamy, or to withdraw within ourselves, until reason and justice shall resume their empire and become the rule of conduct to those peculators on all honest commerce. The people of the United States can look with certainty to their own internal resources for the means of subsistence and comfort; the variety of climate and soil in America is such, as to make it next to impossible that there should ever be a failure of crops, so as to render us dependent on a foreign country for provisions of any kind; and no people possess in more abundance than ourselves, the rude materials for manufacturing the most essential articles of clothing. The embargo, therefore, can produce no domestic inconvenience to the people of the United States, except so far as they are thereby deprived of a market in which to vend the surplus products of the soil. What prospect is there that our merchants would find their way to a European market if permitted to adventure their cargoes on the seas? We are excluded from commercial intercourse with the British islands by France and Spain, and by Great Britain we are excluded from the ports of the world! The consequence is, that our property, if an attempt be made to export it from the United States, would fall a sacrifice to the rapine of some piratical band, and our citizens would be impoverished. The nations of Europe, and particularly Great Britian, cannot sustain the privations to which, by the loss of our commerce, they are subjected. If they stubbornly persist in those arbitary measures which have constrained us to relinquish our commercial pursuits for a season, the horrors of famine, desolation and civil discord, must, at no distant period, induce an acquiescence, on their part, in those principles of justice for which we are bound to contend. If this crisis should not arrive until twenty years shall have passed away, I trust the government of my country will not relinquish the strong ground it has taken. I however believe that France and Great Britain will soon be convinced, that they had better contend for our friendship, than to obstruct that free intercourse, which it is our wish to preserve with each on terms of justice and reciprocity. Should the embargo

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continue only one year, (and I do not think the causes which have induced it, will endure longer) it cannot injure, materially, the planters of the Territory.

I have no doubt that a large proportion of the crop of the preceding year has already been disposed of; and the crop of the present year will not be in a state of preparation for market, until the winter of 1809, previous to which time I earnestly hope that the cloud which covers the aspect of our political horizon will vanish; and that our flag will once more be hoisted in the full tide of commercial intercourse with the world. I cannot close this subject without expressing my ardent wish, that upon this occasion there may be but one sentiment among the people of the Mississippi Territory; and that their utmost energies will always be exerted in the support of such measures of the general government as may be deemed essential to the common defense and general welfare of the Union.

Whether pending the embargo, it may not be proper to suspend executions against the property of our citizens, is a question well worthy the serious consideration of the general assembly. The example has been given by the Legislatures of Maryland and Virginia, and in all probability it will be followed by most of the other States, if circumstances should require it.

With regard to the pending negotiation between our Government and Great Britain, I am unable to speak with certainty at present. Nothing has transpired officially on that subject, and I cannot confide in mere conjecture, on a matter of such high importance to the country. Great Britain may fairly be considered as at war with the world, unless an accommodation is made of her differences with America. How long that kingdom will be able to sustain the weight of such a conflict, let her infatuated ministry determine. But I think it not improbable that they will learn to appreciate the trite adage that "honesty is the best policy."

It now becomes me, sir, to state to you, that after the most mature reflection and consideration, I have determined to decline a re-election as the delegate from the Mississippi Territory to the Congress of the United States. The election of my successor will take place at your general election of representatives in July next, which renders it proper that I should take the earliest occasion to make known to you my intention to withdraw. I am well assured that you will find no difficulty in conferring your suffrage on an individual more able to promote your interest than myself. My best exertions shall continue to be used in the discharge of the trust confided to me; and I most devoutly pray that the benefits to the Territory resulting from those exertions may be commensurate with sacrifices which in my present situation I am compelled to make.

I am, Sir, with sentiments of respect, your most obedient servant,

GEO. POINDEXTER.

The last paragraph in this circular was not acceptable to his friends, and the following correspondence ensued:

To the Hon. George Poindexter:

SIR: The citizens of this Territory have been waiting with anxiety your return, that they might learn the causes which induced you to decline the further service of your country. The public mind has been suspended and now wait your decision; for this purpose we have been deputed by a respectable portion of the citizens of Adams county, to solicit you to dispense with your objections and once more enter the service of a people whose highest confidence you have gained by your faithful and patriotic exertions in their behalf. When we review your conduct during the late session of Congress, your efforts are marked with the strongest evidences of republicanism; and associated with a judgment and success which command our just admiration and applause.

With these sentiments, we beg that you will once more give your name to the territory, as a candidate at the ensuing Congressional election. The duties of that station are important and require the efforts of our best talents—'tis to yours that we would wish to commit them.

With the highest respect, we are sir, your very obedient servants,

JOSEPH SESSIONS,
A. MONTGOMERY,
F. L. CLAIBORNE,
Committee.

Washington, June 11, 1808.

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MR. POINDEXTER'S ANSWER.

GENTLEMEN: Having obtained the passage of an Act, transferring the right of electing the Delegate to Congress in this Territory from the Legislative Council and House of Representatives to the great body of the people, I was extremely solicitous that their choice should devolve on an individual more able to promote their welfare than myself. Nothing could induce me to remain longer in my present situation, by which I am compelled wholly to relinquish the management of my own domestic concerns, short of the very high respect which I feel for the various proofs of confidence and attachment which I have received from a large and respectable portion of my fellow-citizens since my return. The primary duty of a good citizen is to merit well of his country, and to receive its approbation is his highest reward.

Conscious that I have used every exertion in my power to vindicate the rights and advance the prosperity of this Territory, my mind is impressed with a deep sense of gratitude at the sanction bestowed on these exertions by my fellow-citizens.

If upon a view of my past services, I should be again honored with the confidence of my country, it will become my indispensable duty to endeavor to discharge the important trust with vigilance, industry and attention.

Accept, gentlemen, the assurance of my highest respect and esteem,

GEORGE POINDEXTER.

Messrs. Sessions, Montgomery and Claiborne.

Washington, June 11, 1808.

He was re-elected without difficulty, and during that term distinguished himself by his reply to the celebrated disunion speech of Josiah Quincy, of Massachusetts.

The acquisition of Louisiana and of the Florida parishes, was bitterly opposed in the House of Representatives. Josiah Quincy, of Massachusetts, one of the most finished orators that ever appeared in Congress, led the opposition. In the course of his speech he said: "I declare it as my deliberate opinion, that, if this bill passes, the bonds of this Union are virtually dissolved! That the States which compose it are free from their moral obligations, and that, as it will be the right of all, so it will be the duty of some, definitely to prepare for a separation, amicably if they can, violently if they must!"

Mr. Poindexter, delegate from Mississippi, here interrupted him and made the point of order "whether it was competent in any member of the House to threaten a dissolution of the Union, and invite the people to rebellion?" Mr. Quincy, in a defiant voice, deliberately repeated his words, and that they should not be mistaken or forgotten, he wrote them down, and handed them to the clerk.

The Speaker decided that the concluding portion of Mr. Quincy's remarks were not in order; but the House reversed the decision; and the orator proceeded to declare that there was nothing hidden, or mysterious, or sacred about the constitution; that it was a mere compact—an article of partnership between equal parties for convenience and mutual benefit; that new partners could not be taken in without the consent of all the members of the old firm; and that the adoption of this measure would be the forcible introduction of foreign members into the concern, and virtually dissolve the partnership. "With respect," said he, "to this boasted love of our Union, concerning which so much sensibility is expressed, I have no fear of analysing its nature. Sir, the first love of *my* heart is the COMMONWEALTH OF MASSACHUSETTS!"

Mr. Poindexter, in the course of his speech, said "this is not the

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first time we have heard of the dissolution of the Union from the gentleman and his friends. In the debate on the Embargo the gentleman told us that New England was prepared for insurrection and revolt, and at the same moment the British Minister here dispatched the same opinion to his government."

The acquisition of Louisiana, carrying with it the free navigation of the Mississippi river, and its ownership to the sea, was unquestionably, indispensable for the preservation of the Union; but on the constitutional points alleged by Mr. Quincy, there was not and never has been a satisfactory answer. Like Lincoln's emancipation proclamation, and the acquisition of New Mexico and California, the power exercised was one of expediency or *necessity*, and not of right—as surgeons justify the resort, in desperate emergencies, to the Cæsarean operation. In a pointed address to his constituents Mr. Poindexter explains very clearly the position of national parties, on measures that directly concerned the people of the Mississippi and Orleans Territories:

"A bill is now before the Senate, one of the provisions of which is to extend the laws of the Territory of Orleans to that portion of West Florida lying west of the river Perdido. The title of the United States to that tract of country is strongly contested by the federalists, and the Executive is charged with a violation of the Constitution, in the proclamation declaratory of that title. A few weeks previous to the meeting of Congress, that class of politicians were clamorous against the administration, for delaying a step so necessary to our national security. "The hand of Napoleon was visible in this criminal procrastination of a measure called for by a proper respect for our own rights, and warranted by a rigid enforcement of the convention of the 30th of April, 1803, with the French government." But so soon as the strong ground taken by the President in relation to that country was displayed, the High Priests of the Essex Junto, true to the cause of England, vibrate to the opposite extreme, and censure an act which a short time before they had recommended. We are now told that "West Florida was not included in the Louisiana purchase—that to step over the national boundary was an usurpation on the part of the Executive of the Constitutional powers of Congress, who are exclusively authorized by that instrument to make war on a foreign country"—and though "last not least" of the bug-bears which they conjure up to frighten the nation, we are reminded that Great Britain has solemnly undertaken to guarantee to the Spanish Junta, in the name of Ferdinand the 7th, all the colonies which Spain possessed, anterior to the downfall of her late monarch, and that this violation of territorial boundary will lead to open rupture with that nation. We are even charged with an intention to occupy the country till France is in a situation to receive it out of our hands. Should Great Britain listen to these frantic ravings of political madmen, it is highly probable she will embark a force for Pensacola, for the purpose of restoring the Spanish authority in West Florida; but what I think more probable is, that she will obtain a cession from the Junta of the two Floridas, and claim them as British colonies. In either event, I hope the government of the United States will permit the valor of its citizens to plant the American Eagle on the walls of St. Augustine. That such will be the result of a struggle to trench upon our present limits, cannot be doubted. The God of nature manifestly intended this great continent to be united under one common goverment connected by a community of interests and of municipal regulations. Time alone can mature these important objects, which by interposing between the new and the old world, an ocean of vast extent and difficult navigation, will afford a sure pledge of the peace and prosperity of our beloved country for ages to come.

Connected with the acquisition of West Florida, the establishment of boundaries for state governments on the waters of the Mississippi, is a subject of primary importance. I have waited with anxious solicitude, to learn the sense of the Legislature of the Territory as the course which it became my duty to pursue, in relation to our advancement to the rank of an independent

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State. It being doubtful here, whether the newly acquired territory should be attached to the Orleans or Mississippi Territory, or a portion of it, added to each, I have carefully avoided an exposition of my own views, until by knowing the wishes of my fellow-citizens, I might carry them into effect so far as they might meet the sanction of the National Legislature. No memorial has yet arrived. We have indeed heard of a project to accompany that instrument with a constitution to be formed by a convention, authorized by the local Legislature of the Territory. This step is deemed premature by those who are acquainted with the incipient proceedings necessary to the introduction of a territory into the Union as a separate commonwealth; and although I attribute no unworthy motive to its mover, I am not without fear that it will be productive of unfavorable consequences with reference to the object which it was intended to promote. To give the subject every facility in my power, and to evince a proper subordination to the general government, I have moved a resolution which is adopted for the appointment of a committee to "Enquire into the expediency of admitting the territory into the Union as a separate and independent State." The committee will no doubt postpone their report until the views of the Legislature of the Territory shall be presented to them."

1808. About the time that his term in Congress was drawing to a close, the Hon. Peter B. Bruin, who had long been one of the Judges of the Territory, resigned, and the President appointed Mr. Poindexter to succeed him. He had established his reputation in Congress as a man of talents, but was extremely unhappy. He had already separated from his beautiful wife, who had borne him two sons, and he publicly accused her of criminal relations with one who had been a favorite with both.*

In 1811, one of the most unhappy events of his life occurred—his duel with Abijah Hunt.

Mr. Hunt was a native of New Jersey, had come early to Ohio, thence to this Territory, and had become the most extensive merchant in it. He had large establishments and public cotton gins at Natchez, Washington, Greenville, Port Gibson and Big Black, and by his capital, enterprise and intelligence exerted great social and political influence. He was a man of high personal character, and a decided partisan of what was then known as the Federal party. He took an active part against Poindexter, and indulged in some expressions, which, in the then state of public sentiment, could not be submitted to. Parties were not wanted to aggravate Poindexter, who, being a Virginian, did not need much spurring; and some of those who bitterly hated him were anxious to have him shot, even though it risked the life of one of their most influential leaders, who had the usual scruples of his race against duelling. After the challenge passed, Mr. Hunt was arrested, and the other party was closely pursued. Poindexter's friend, Capt. Wm. C. Mead, sent Capt. E. Bradish, the friend of Mr. Hunt, the following note:

NEAR NATCHEZ, June 6th, 1811—11 o'clock p. m.

SIR: Having evaded the constables by whom we have been harassed, and understanding your friend has escaped, we have reason to hope there will be no farther difficulty, and that you and your friend will meet us on the opposite side of the river by 4 p. m. to-morrow, if agreeable to your friend, or at as early an hour as possible. My friend, his surgeon and myself cross over immediately under cover of night, and we shall anxiously await the arrival of

* I have critically examined the evidence in his own papers against this lady, and though she may have been indiscreet, and the more so from resentment of her husband's suspicions, I am sure she was never criminal—that she was a pure and true wife. She subsequently married Mr. Williams, a clergyman of Brimfield, Massachusetts, and maintained an unsullied reputation.

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your party. Our friend Lieutenant Peyton will deliver you this note and will then rejoin us. He will inform you precisely where we are to be found.

Your obedient servant,

W. C. MEAD.

Both parties being on the Louisiana side of the river, the following terms were agreed upon:

"Wm. C. Mead, on the part of George Poindexter, Esq., and Ebenezer Bradish, on the part of Abijah Hunt, Esq., adopt and agree to the following terms for the meeting about to take place:

1. The ground shall be measured in presence of the seconds, and their principals shall then be placed at ten paces apart facing each other.

2. The seconds in presence of each other shall charge two pistols with powder and one ball each.

3. These pistols shall be placed in the hands of the principals at their posts by their respective seconds, and shall be held with the muzzle down.

4. The giving of the word shall then be decided by lot. The second who wins the privilege, shall then say, slowly and distinctly—"Gentlemen, are you ready?" If both principals answer "*We are*," he shall then proceed thus: "One—two—three—fire!"

5. After the word "*one*" has been pronounced the principals may elevate their pistols, but if either shall raise it from its perpendicular position *before* the word *one* the second of the opposite party shall shoot him.

6. If either of the principals shall discharge his pistol before the word *fire*, or shall withhold his shot after the word *fire*, and then attempt to fire at his adversary, the second of the latter shall shoot him down.

7. The parties shall remain on the field until the challenging party shall declare himself satisfied, or until one of the parties shall be too much disabled to continue the fight.

8. A snap or a flash of the pistol shall be considered a fire.

WM. C. MEAD.
E. BRADISH.

June 8th, 1811.

This cartel evidently meant businesss. The seconds were both what would be now called fire-eaters. Bradish was a New Yorker, a loyalist, and had held a commission in the army from John Adams, and like most of the officers of that day, was a high-strung Federalist, and fierce and passionate. Mead was a Georgian, had likewise been in the army under a commission from Jefferson, and was an ardent Republican. His coadjutor, Jos. R. Peyton, a Virginian, was at that time a lieutenant in the United States Army. Elijah Smith, a highly respectable citizen, was present, as a friend of Mr. Hunt. The meeting took place on the grounds of Maj. Stephen Minor, about a mile above the port of Concord, (the present Vidalia.)

Capt. Bradish won the word and gave it. Two pistol shots were heard, and Mr. Hunt received a wound in the abdomen, which in a few hours terminated his life. His death made a great sensation, and then, and as late as 1815 in his controversy with Dr. Brown, and other influential parties of Lexington, Ky., Mr. Poindexter was accused of firing before the word.

As late as December 4th, 1815, the late Judge Elijah Smith, says:

That the *fire* did take place *before* the word *fire*, (which I understood to be the signal,) I do most unequivocally declare to be the fact, and that it *commenced* with Mr. Poindexter *I cannot doubt*. This statement was made by Mr. Hunt's second and Dr. Duncan, the attending surgeon, in the most positive manner; and what I consider more forcible by *Mr. Hunt himself* on his *dying bed*, who declared to me that Mr. Poindexter did *fire before the word*, and thereby drew his fire before he was ready. He confided this communication to me alone, from a delicacy towards his second, it being too late to remedy the evil. These statements are corroborated by another circumstance—Mr. Hunt usually shot

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remarkably well, and his friend, used to his mode of firing, gave the word. The parties stood with their pistols hanging by their sides, and were to raise at the words "one"—"two"—"three"—and fire at the word "fire." The ball of Mr. Hunt struck a log some little distance behind Mr. Poindexter, not higher than his knees, Mr. Hunt being only in the act of raising his pistol when he received the ball of his antagonist.

Mr. Poindexter replied to this statement by inquiring why, under such circumstances, the seconds of his adversary did not avail themselves of the sixth article of the cartel. And he published a number of affidavits, one of which was from Col. Wm. Ward, of Kentucky, (brother-in-law of Vice President Richard M. Johnson,) who swears that he saw Mr. Hunt as they were carrying him from the landing, and that Mr. Hunt's seconds and friends informed him that he had fallen in a fair fight. The following statement is from a well known citizen of the Territory:

MISSISSIPPI TERRITORY, ADAMS COUNTY.

I, Duncan McMillan, of the county and Territory aforesaid, do certify that in the summer of the year 1811, I resided in the State of Louisiana, (then called the Orleans Territory,) and parish of Concordia, opposite the city of Natchez; that sometime in the month of June, as well as I recollect, several gentlemen came to my house, whose names I did not know at that time, but whom I was immediately informed was Mr. Poindexter, then a Representative in Congress from the Mississippi Territory, a Mr. Mead, and a Mr. Peyton. The gentlemen made known to me that the object of their crossing the river, was to settle a difficulty between Mr. Poindexter and Mr. Abijah Hunt, which the parties had agreed to put to the decision of a personal conflict, with pistols; with which weapons, these gentlemen were provided, After some small interruption, given them by Mr. Dunlap, then Sheriff of Concordia, the parties met about three hundred yards below my house. Having a desire to see the issue of the fight, I advanced within about ten paces of the spot where it took place. Mr. Poindexter and Mr. Hunt were placed opposite each other, at the usual distance of ten steps; the pistols were then loaded by two gentlemen, whom I did not then know, but, whom, I was informed, were a Mr. Peyton, who acted for Mr. Poindexter, and a Mr. Smith who acted for Mr. Hunt. The pistols after being loaded and cocked, were put into the hands of the parties, by the gentlemen who had charged them. Mr. Bradish gave the word. The fire took place so nearly together, that I could not distinguish which pistol went off first. On discovering that Mr. Hunt had received a wound, I went up to Mr. Poindexter, who continued in the same spot and the same position from which he had fired, until he had leave to quit the ground, from the gentleman whom I understood to be Mr. Smith. He than retired, and I went to the place where Mr. Hunt had been taken, and looked at his situation. He was very soon removed across the river to Natchez. During the whole time of my being present, I heard not a word from any person of anything unfair in the firing. The affair seemed to me to be conducted with great solemnity and fairness. After all the gentlemen concerned had left the ground, a Mr. Bridges and myself found the log in which the ball from Mr. Hunt's pistol had lodged. We cut it out, and measured the probable distance which it must have passed from Mr. Poindexter's body, by one of us taking the position which he occupied, and then drawing a line, by which we discovered that it passed very near to him, little above the hip, so that if it had struck it would have passed through the abdomen. Having no concern in this unpleasant business, I did not expect to be called on, at this late period, for a statement of the above facts. I have however, given it at the request of Mr. Poindexter, and am willing to swear to the truth of it, if necessary,

DUNCAN MCMILLAN.

December 30th, 1815.*

How dueling was conducted in those days may be inferred from

*The pistol he used on this occasion, was used in 1832 by Judge Sam Caldwell in his affair with Jos. Smith, at Clinton.

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the following narrative of an affair between Major (afterwards General) Claiborne and Capt. Benjamin Farar, a prominent citizen of Adams county. The writer, Hon. Wm. Bayard Shields, afterwards United States Judge for the district of Mississippi, was one of the most distinguished members of the Natchez bar, and one of the most high-toned and gallant of our citizens. Capt. Bradish, referred to in this statement, is the gentleman who acted for Hunt in the duel with Poindexter:

FROM THE NATCHEZ MESSENGER DEC. 9, 1806.

DECEMBER 8, 1806.

A variety of reports having been circulated relative to the affair of honor between Maj. Claiborne and Capt. Farar, I feel myself impelled as the friend of the former gentleman, to present the public with a brief narrative of the affair, and the manner in which it terminated.

The parties met on the western margin of the Mississippi, on Sunday morning the 30th ult. The arms on our part were a brace of pistols, on theirs two brace. The friend of Capt. Farar wore a dirk. Agreeable to arrangement the principals exchanged a shot at the distance of ten steps. While charging the pistols for a second fire, the friend of Capt. Farar suggested the propriety of a compromise. I informed him that I would receive propositions, but was not authorized to make any. Propositions were then made and reduced to writing. I deem it unnecessary minutely to detail, the various interviews and discussions between the friends of the parties. As to these propositions, it is sufficient to say, that after a long and deliberate discussion, Major Claiborne finally rejected them, unless Captain Farar would first give assurance that in his advertisement of Jett he had no intention to wound his private or public character, for that such was the general impression. Captain Farar's friend asked if this was our ultimatum? I answered in the affirmative. He then said the parties should take another shot. The principals took their posts for a second fire. The friend of Capt. Farar, with a pistol under his arm and one in his hand, stood nearer to Major Claiborne than to his friend—I was opposite to him. He observed, looking at Major Claiborne, that this business had become serious, and he would shoot the man who acted unfairly. Major Claiborne replied, "if I act unfairly you are at liberty to shoot me." I called to order and desired the friend of Capt. Farar to give the word. A second fire took place. Capt. Farar's ball passed through the cape of Major Claiborne's coat, and the Major's ball struck Capt. Farar under the right arm, and glanced without doing any material injury. My friend assured me that he was unhurt, and asked for the other pistol. Capt. Farar's friend desired me to give Major Claiborne a brace of pistols, as the affair should now take a course of which *it appeared we were not aware.* I was proceeding to charge my pistol, under an impression that it would be resolved to change the mode of combat, having been authorized by Major Claiborne to adopt any mode which might be proposed. In the interim, and before I reached the place of loading, Capt. Farar's friend advanced to Major Claiborne, with a brace of pistols in his hands, and one under his arm, apparently in a violent passion, said to him, "you must now fight me," repeatedly tendering one of the pistols, which Major Claiborne rejected, replying that he came there to fight Captain Farar, and that he would do so as long as Capt. Farar pleased. Capt. Bradish said, "Capt. Farar has a family, and he shall not fight any more." Major Claiborne remarked, "we both have families." I attempted to interrupt the friend of Capt. Farar, but in vain. Astonished at the novelty and unwarrantableness of such a proceeding, unable to divine the legitimate object of it, and knowing that no unfair practice had been used on our part, I was really at a loss how to act for a moment. By the rules of etiquette, and according to the proposition of the friend of Capt. Farar, I would have been warranted in shooting him on the spot. I had not the temper to pursue so sanguinary a conduct. Major Claiborne twice asked me if he should fight him. I peremptorally said, "you shall not, sir." He then advanced to Capt. Farar's friend, and said, "now if you are disposed to assassinate me, shoot."

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This procedure was so unprecedented, unjustifiable, and violatory of every rule of etiquette, that I determined to take my friend from the ground, and we proceeded to recross the Mississippi.

Having given the preceding narrative, in which I have endeavored to be as accurate as posible, I think it proper to remark, that Major Claiborne, throughout the whole affair, acted with the firmness and intrepidity of a soldier and a man of honor. I must take the liberty to state that my conduct on this occasion, from the commencement to the close, was influenced by a disposition to preserve unsullied the honor of my friend, to adjust the matter amicably, if practicable, to the satisfaction of both parties, and that in every attempt to effect that desirable object, I was governed by motives of humanity.

W. B. SHIELDS.*

His life, at this period, was a perpetual embroilment. He made a call on Major Stephen Minor, through Col. F. L. Claiborne, for certain derogatory statements. Col. C. writes to him, Natchez, September, 11th, 1811, "I waited on Maj. Minor, to know on what authority he made the statements, and he very frankly assured me, on his honor, that they were made on the authority of ——. You must look to *him*. Whatever Major Minor states, upon his honor, you, and every other gentleman, are bound to accept."

JEFFERSON COUNTY, May 8th, 1811.

Hon. Geo. Poindexter:

There is a formidable electioneering story in circulation. I am informed by Dr. Maxwell that he saw a letter addressed to Hon. Mr. Bullock, of Claiborne county, by Mr. Dixon, stating that you had, through him, in 1805, borrowed from widow John Smith, $600, for which you promised to pay her 12½ per cent.; and that you placed in her hands, as security, a letter of credit from Col. John Ellis, of Adams county, and your own promissory note. That some months afterwards you called at her house and said you wished to settle up. She handed you your note and Colonel Ellis' letter, and you put them in your pocket, promising to return the next day with the money, but that you did not return and have never paid any attention to her repeated demands. This statement, Mr. Dixon says, in the aforesaid letter, Mrs. Smith made to him just before her death.

This story is greatly injuring you in this county, and you have little time to defend yourself. I am so exasperated by this story, that I can scarcely express myself. Your friend, JOHN HOPKINS.

He thus refuted it:

MISSISSIPPI TERRITORY, Jefferson County, *to-wit:*

This day, Richard Caradine, of said county, personally appeared before the undersigned, a Justice of the Peace for said county, and made oath, that about four or five years ago, he had a demand against the estate of the late John Smith, and made frequent applications to his widow, for payment, and in the course of conversation on this subject, she informed this deponent that there was an unsettled account between herself and George Poindexter, Esquire, and that she expected to owe him money. Some time afterwards this deponent was at the house of Mrs. Smith, and she informed him that Mr. Poindexter and herself had settled their accounts, (either that day or the day before,) on much better terms than she expected, having thought before, that she would have fallen in his debt.

RICH'D CARADINE.

The above deposition was sworn to and subscribed before me, this 29th day of May, 1811.

FELIX HUGHES, [W. Q.]

*The writer was not aware of the affair between his father and these gentlemen until all the parties were dead. They survived their adversary a number of years, and when the writer returned from Virginia and entered the law office of Griffith & Quitman, Messrs. Farar and Bradish were clients, and it was frequently his duty to wait upon them. They were always marked in their civilties and kindness to him.

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This is but a sample of the annoyances by which he was assailed. His enemies were numerous, violent and implacable. He was dogged by calumnies from the moment he left Virginia, and to the last hour of his life he was thus pursued.

He displayed on the bench the same ability, acuteness and capacity for labor that had distinguished him in Congress, but his appointment displeased his old enemies, and they used the columns of the Republican (printed in the town of Washington. then the Territorial capital, by Andrew Marschalk,) very freely against him. This culminated in an unpleasant proceeding in court, which would not be referred to here, but for the excitement it occasioned and the long continued attacks on Judge Poindexter in the public newspapers, which is a permanent record against him. In justice to him, his version should be recorded. The individual who engages in a controversy with the conductor of a newspaper encounters fearful odds. No matter how just his quarrel, or great his abilities, the advantages are with his opponent, who can always have the last word, and is more or less regarded as the guardian of the public welfare. The writer may be malignant and unjust, wholly influenced by personal or party resentments, or even by mercenary motives, but the people have been educated to regard him as their representative and champion, and the majority are always sure to side with him, especially if the antagonist be one whose talents or virtues have made him obnoxious to the base and envious.

In this case his quarrel was with Andrew Marschalk, of an old Knickerbocker family, of New York, who had been a lieutenant in Wayne's army, and had come down the river with the second detachment of U. S. troops, after the Spaniards evacuated the province. He was a printer by trade, and personally bore a strong likeness to Dr. Benjamin Franklin. He soon resigned from the army and established a paper in the town of Washington, then the capital of the Territory, called the "Republican." Parties in the Territory of that day were personal rather than political. There were a few gentlemen of federal (Hamiltonian) principles, but as a party the federalists ceased to exist after the deposition of Winthrop Sargent. During Governor Claiborne's term there was little political excitement; but under the Williams and Mead administrations there was great exasperation, but all claimed more or less to be friendly to the administration of the national government. Governor Williams claimed to be a good Republican, and came of the best Republican stock in North Carolina, though every Federalist in the Territory was his supporter.

Governor Holmes was, unquestionably, a Republican, but many Republicans were adverse to him, while the Federalists generally stood by him.

Marschalk's paper warmly supported the Williams and Holmes administration, and as bitterly opposed George Poindexter and many of his personal and political friends. Judge Poindexter, particularly, was assailed week after week, in the most aggravating style. At length it terminated in the manner related by the Judge himself, in the following letter to the Hon. Langdon Cheves, Speaker of the House of Representatives, United States:

NATCHEZ, December 5th, 1814.

SIR:—At the last term of the Superior Court, for the county of Adams, in this Territory, a person by the name of Andrew Marschalk, printer of a newspa-

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per, styled the "Washington Republican," published an anonymous letter, addressed to myself, containing a tissue of false, scandalous and libelous matter. The press from which this paper emanated, is conducted within view of the building designated as the seat of Justice for the county, and it came within the knowledge of the editor that the Court was in session at the time he promulgated the libel. A considerable number of these papers were sent directly from the printing office and distributed among the jurors, and other persons attending to transact judicial business, and a copy placed on the Bench, so as to attract the notice of the Court. This indecorous and unwarrantable proceeding had a tendency for the moment to interrupt that even and orderly administration of justice, which ought ever to characterize a court of judicature. The attention of every one present was drawn from the immediate and solemn duties, which they were called on to perform, and seemed exclusively occupied in the perusal of the insulting publication against the honor and integrity of the Judge, under whose superintendence they were assembled to fulfill the respective functions assigned to them by the Constitution and laws of the country. The dignity of the Court was directly and flagrantly assailed in a manner which imperiously demanded the infliction of legal punishment commensurate with the offence. The customary rule was awarded on the editor to show cause why an attachment should not issue against him for a contempt. He appeared by counsel, and refused to answer interrogatories. The rule was therefore made absolute, and the offender sentenced to twenty-four hours' imprisonment, to pay a fine of twenty dollars, and give security for his good behavior. On the expiration of the time of imprisonment, he was brought into Court, on his discharge, and being required to enter into a recognizance of good behavior, he refused to do so, and said in the presence of the Court, "I thank your honor for the sentence—I pay the fine. *I meant a contempt.*" These expressions might well have justified an augmentation of his punishment, but, having no wish to extend his imprisonment, after he should have complied with the original order of the Court, I remanded him for that purpose, and took no notice of the offensive language which he had used. These proceedings so necessary to preserve the respect due to the judicial tribunals of the country, have been grossly misrepresented, and perverted by a small faction here, who seek to disturb the community, through the agency of a prostituted press.

These misrepresentations may possibly reach the seat of the National Government, and require of me some explanation, to guard against any improper impressions they may make to my prejudice. I therefore, Sir, take the liberty which I hope you will pardon, of enclosing to you a transcript of the Record, with the request that you will give to this communication such publicity, as in your judgment, may be proper for my vindication against any attempt which may be made to inculpate my conduct in relation to the matter to which it refers. I have the honor to be, with great respect,

Yours obediently,

GEO. POINDEXTER.

HON. LANGDON CHEVES, Speaker H. R., U. S.

Subsequently the proprietor of the Washington Republican was indicted for libel on Judge Poindexter, and in a trial which lasted four days, he availed himself of his right to justify, or plead the truth in his defence. The case is presented in a clear and authentic light in the following letter from Judge Leake, afterwards Senator in Congress, and Governor of Mississippi:

SPRING PLAINS, CLAIBORNE COUNTY, M. T., July 28th, 1815.

Hon. Geo. Poindexter:

DEAR SIR—In your letter you wish my answer to the following queries:

1. Whether I did not preside in the trial of Andrew Marschalk, for sundry libels printed in his paper against you?

2. Whether under our laws the defendant has or has not the right to give [the truth of the matter charged as libelous in evidence?]

3. Whether in that case the attempt was or was not made, and whether you did not permit him to go into a specification of anything which his witnesses could

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state concerning your conduct at any period since your residence in this country?

4. Whether after occupying four days on the trial, he established any one fact which reflected the least dishonor on your moral character, and whether the defendant's counsel did not in the argument abandon the ground of justification altogether?

In answer, I have to state—that I did preside in the trial of Andrew Marschalk on two indictments for libels printed in his newspaper, called "The Washington Republican," against you. Under our law the defendant in such cases has a right to give in evidence in his defence, the truth of the matter charged as libelous; and this privilege the defendant on that occasion availed himself of, to the fullest extent. He was permitted at your instance to go into a particular specification of all the circumstances relative to any transaction of yours with others, whether of a professional or private nature, since your residence in this country. A solitary case only excepted, which took place between yourself and the unfortunate, Mr. ———, and which is, *by some*, called "an affair of honor." In that, a witness who was an important friend of the unfortunate, Mr. ———, was brought into Court, who stated the subject about which he was called to testify, and that he had not voluntarily come forward on that occasion. This witness was objected to by the Attorney General, on the ground that his evidence, if fully given, would implicate himself in an affair of a most serious nature. His testimony, was, on that ground, rejected by the Court, with this remark that the Court did not feel itself bound to notice officially every rumor which might be afloat, on subjects of that or any other nature, but if a person came voluntarily forward and made oath to such facts as would make an investigation necessary, it would feel itself then bound to institute the inquiry; but as the witness had not voluntarily come forward, he might retire; which he accordingly did.*

After a trial which occupied three or four days, your character exhibited as much purity as any man's could have done, which had been subjected to such a rigid scrutiny. For the trial having taken place in the county wherein your residence had been fixed since your first arrival in the country, an opportunity was the better afforded to exhibit evidence relative to every transaction of yours, in which any kind of dispute had arisen with others; and that evidence, too, derived from witnesses who were parties against you in those disputes, and whom, though honest, might be fairly supposed, to be much under the influence of self-interest in forming the opinions of your conduct, about which they were to testify. And no person who heard the trial can be of opinion that the opportunity which was thus afforded, was in the least neglected, but that it was pursued with the most rigid assiduity.

Indeed it was a matter of much surprise to many, whose minds had been somewhat affected by so many scandalous charges, as had been published in the defendant's newpaper, that something was not produced in evidence which would at least cast a shade over your character.

After the trial was over I heard a gentleman of "high standing and great respectability," and who was not one of your warmest friends, declare that he was never more disappointed in his expectations than on hearing the evidence delivered in that trial, for after so much had been said and written relative to your character, he did expect to have heard something proved which would have placed it in a very unfavorable point of view; but so far from that, that he was well satisfied that the fairest character among us, which had had many transactions with the world, could not have appeared more fair, after having been subjected to such a rigid examination, embracing every transaction for a period of fourteen or fifteen years. I have heard several other gentlemen express themselves in similar terms.

In the argument of the cause the defendant's counsel did not pretend to have proved the truth of the matter charged as libelous, but rested the defence of their client on the latitude which ought to be given to the liberty of the press, and the propriety of taking, by means of the press, a wide range in scrutinizing the conduct of public agents.

I am sir, very respectfully, your most obedient and very humble servant,

WALTER LEAKE.

*This refers to his duel with Hunt.

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The result of this trial, as stated by Judge Leake, must be held to acquit Poindexter, not only of the particular matters charged by Marschalk, but generally of the calumnies by which he had been assailed since his residence in the Territory. His temperament and indiscretion, as well as the decided part he had taken in politics, had exposed him to misconceptions and misrepresentations. But on the trial he challenged an inquest, and after four days of active effort, prompted by a host of enemies, they failed to establish any one of the countless slanders floating about in the community.

The Washington Republican, persisting in its abuses, the Judge, not satisfied with this vindication, very reprehensibly and indiscreetly caned Col. Marschalk in his own office, and that gentleman in his paper of March 8th, 1815, gave the following account of the affair:

Judge Poindexter was arrested on Saturday last, on a Territorial warrant, for an assault on the editor of this paper, in the door of his office; and being brought before the justice who issued the warrant, *refused* to enter into recognizance for his appearance at court (the justice not requiring security;) while a mittimus was making out, to commit him to prison, he *withdrew* from the court house, and was followed and taken into custody by the deputy sheriff. *He then issued a habeas corpus* for *himself*, returnable before the Hon. Judge Leake, and left town on Sunday morning, in custody of an officer, for the residence of the Judge, in Claiborne county, after giving bond and security to the sheriff, that he would not escape; since which we have no account of him.

Being about to leave the Territory for a northern tour about this time, the leading members of the bar, embracing men of every shade of political opinion, addressed him as follows:

To the Honorable George Poindexter:

The undersigned, members of the Bar in the Superior Courts of the Mississippi Territory, understanding that your Honor is about to leave the Territory for some time, beg leave to express to you our high approbation of the *promptitude, ability and impartiality*, with which you have discharged the arduous duties of your judicial station. You have introduced a system of practice into our courts, and preserved an order and decorum in the dispatch of business, the beneficial effects of which have been felt in all classes of society. We will only add, that our best wishes for your health and happiness will attend you through life.

W. B. SHIELDS,	CH. B. GREEN,
LYMAN HARDING,	J. KEETH,
JOHN TAYLOR,	EDWARD TURNER,
D. P. JANUARY,	COWLES MEAD, &c., &c.

This must not be construed as a mere act of courtesy, but must be read in proof of his ability and integrity on the bench. And a good and honest judge cannot have been a bad and dishonest man—certainly not the monster that Poindexter was represented to be. Of the signers to this note, four only were his political friends. Harding, Taylor and Green were leaders of the Federal party, eminent lawyers, and men of the highest social position.

The object of this journey was not so much for the recuperation of his health, as to trace up and refute many injurious reports in circulation in Kentucky and Tennessee. On his arrival in Lexington he found that these reports originated chiefly with Dr. Samuel Brown (formerly of Natchez) and Col. Thomas G. Percy, of Mississippi, men of high social position, but for some time past his bitterest enemies. Dr. Brown and Colonel Percy were brothers-in-law, and the latter was the man whom Poindexter suspected of seducing his wife. He made an immediate demand on Brown, followed by an abusive publi-

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cation, to which Brown responded in a pamphlet of forty pages, setting forth that:

1. A report was in circulation at Natchez, as early as February, 1815, that Judge Poindexter had disgraced himself at New Orleans.
2. That Poindexter's opponents, so far from exaggerating his acts and doings, omitted much that was disgraceful.
3. That he fled to New Orleans from the lines, on the 1st of January, three or four minutes after the battle commenced, and afterwards wrote his friends in Natchez that he had been under fire the whole morning.
4. That during the entire battle on the 8th of January, he sat behind a brick chimney, in the lap of the negro servant of General Carroll.
5. That he killed Abijah Hunt unfairly in a duel.
6. That he attempted a rape on a young lady in the family of General Cocke, Chickasaw Agent, (during his absence) and had to make a precipitate retreat.

In support of the first five of these charges Dr. Brown published the certificates of General Carroll, Dr. Samuel L. Hogg, James H. Ficklin, and others, and the inference to be drawn therefrom, it must be conceded, are very unfavorable to Poindexter.*

But among his papers there are letters and certificates from several of these *same* parties, and from other respectable citizens, that explain or qualify materially the certificates in Brown's publication, and others directly contradicting them.

Had Poindexter disgraced himself in the manner alleged, General Carroll would never have written to him, and Major Wm. Bullitt, as he did, January 22d, 1815:

"The tender of your resignations as volunteer aids is hereby accepted. You will carry with you, gentlemen, my affectionate wishes for your happiness and safe return to your homes, and I will remember with pleasure your zeal and meritorious services."

February 17th, 1815, Colonel Grayson, adjutant general of the army, writes:

"I am sorry to notice in a Natchez paper remarks to your prejudice. *I* ought certainly to know the services you rendered our division, when I had you on my roster, and detailed you, in rotation, for night services and all other duties required. You relieved us of much hard duty during the seige."

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* Dr. Hogg states that on the morning of the 8th, the moment the first cannon was heard, General Carroll, who was at his quarters, mounted his horse and galloped to the lines, accompanied only by Major Priestly, a volunteer aid. That immediately thereafter a cannon ball passed through the room where he, Judge Poindexter and some other parties were assembled, tore down part of the walls, and a fragment of brick struck Judge Poindexter on the arm; that he lay down on a mattress a little while, said the injury was slight, and then the party took shelter in the rear of the house, behind some brick chimneys. Several others had repaired to the same place, and it being crowded, the Judge took a seat in the lap of Henry, General Carroll's servant, where he remained during the action. Manuel, a negro boy attached to headquarters, incautiously exposed himself, had his head carried away, and his brains and blood were scattered over the Judge.

In the Poindexter papers I find the following letter, addressed to him, while he was in the Senate:

NASHVILLE, November 16th, 1830.

I am directed by my father, Major J. Shaw, to ask your assistance in procuring compensation for his negro servant, Manuel, who was killed in your presence, on the 8th of January, 1815. From the promient part you bore on the occasion, you are more capable of explaining the catastrophe than any other person. Hon. Felix Grundy and Hon. John Bell will introduce a bill for the purpose, and we shall be gratified for your aid.

JOSEPH SHAW.

This letter was doubtless an unpleasant reminder, and on it Mr. Poindexter significantly endorsed—"*No answer.*"

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June 13th, 1816, Poindexter, in a letter to General Carroll, propounded the following interrogations:

1. Were not the operations of the enemy on the 1st of January, 1815, confined to a cannonade on our breastworks?
2. Was not the whole army directed to find shelter behind the breastworks, or elsewhere, except those engaged with the artillery and engineers?
3. Did not the whole of your division remain inactive during the cannonade on the 1st?
4. Did I on that day belong to any corps in your camp?
5. Was I not engaged with you, performing duty on the lines, until a very late hour of the night of the 7th of January?
6. Was there not on the night of the 14th prevailing opinion that the enemy would renew the attack on the 15th, and did I not pass the night, at the breastwork, with Colonel Simpson?
7. On the 19th, when the cavalry passed your quarters in pursuit of the enemy, did I not ask your permission to join them, and did I not afterwards return, with the surgeon in charge of the wounded?
8. Did I, on any occasion, within your knowledge, show an inclination to avoid any service to which I was assigned?

To which interrogations General Carroll, June 28th, returned satisfactory and conclusive answers. Dr. Hogg, in Brown's pamphlet, states that Poindexter's conduct on the 1st of January, was spoken of, and ridiculed at the mess-table in presence of General Carroll and staff, Poindexter being present. This is difficult to reconcile with a friendly letter from General Carroll to Judge Poindexter, dated in camp, February 17th, 1815, giving him the news, and concluding thus: "Present me respectfully to Major Bullitt, and I am charged to offer to him and to you assurances of the esteem and friendship of the members of my military family."

There is likewise a letter from Colonel Simpson, written from Sparta, Tennessee, bearing the strongest testimony to his conduct at the lines.

If the certificates published by Dr. Brown be true, Poindexter must have become an object of contempt with the officers of the army and with the people of Mississippi, who, though proverbially generous and indulgent, never have or never will forgive a coward on the field of battle. Yet in less than one year after his alleged disgraceful conduct at New Orleans, he was elected by the proud, fastidious and gallant people of the Mississippi Territory, to represent them in Congress.

He there met Dr. Samuel Hogg, who had been elected a representative in Congress, from Tennessee. and that gentleman, in a formal article, qualified the certificate he had given Dr. Brown, and the two gentlemen agreed to meet as friends.

General Jackson, who was never known to overlook a mean or dastardly action, remained the staunch friend and frequent correspondent of Mr. Poindexter, until 1832, when they were separated by the course of parties.

January 18th, 1819, General Thomas Hinds writes to him at Washington: "The conduct of General Jackson, and the Seminole war, will doubtless be brought before Congress. Your constituents expect you to defend him, and we expect you to distinguish yourself."

This expectation was fully realized. Mr. Poindexter did distinguish himself. He was the champion of General Jackson, and defended him against Mr. Clay and a host of able opponents. In the debate,

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long protracted, and the influence of which was felt on parties for twenty years afterwards, his speech must be classed above every other. It was both logical and eloquent, and it settled the question in the opinion of the people. He delivered it February 2d, 1819, and three days afterwards thus refers to it in a letter to his wife:*

"I attended the President's levee last evening. General Jackson was there, which occasioned the attendance of a very large and brilliant assemblage. We have been, for three weeks past, discussing his conduct in the Seminole war. I defended him at great length, a few days ago, and when I closed there was a burst of acclamations. I enclose some printed notices because I know you will be gratified to perceive that I am acquiring the confidence of my country."

March 6th, he wrote to her: "I am writing out my speech in defence of General Jackson. It will occupy me three or four days. My reputation is at stake, and I know you will excuse the delay."

In 1818 he was the guest of General Jackson.

In 1820 General Jackson wrote him a friendly letter, introducing the Rev. Austin Dickinson, and descanting, quite fervently, on missionary effort, tract and Bible societies!†

In 1821 he introduces to Poindexter a member of his household, Col. R. E. W. Earl, a painter, who confined himself to portraits of the General, and, in this letter, gives his views of the Fine Arts generally!!

In 1823 the General gave Mr. Poindexter a stronger proof of his confidence and respect. He writes: "On hearing of the death of our respected friend, Judge Shields, I immediately wrote to the President, recommending you for the position."

The President, however, appointed the Hon. Peter Randolph, of Wilkinson county, a recent immigrant from Virginia.

The charge then, of cowardice and disgraceful conduct at New Orleans, as alleged by Dr. Brown, and by numerous personal enemies, must be held to be grossly exaggerated, or a flagrant perversion of facts. In his papers there is direct proof, from creditable sources, that he performed his duty, and was often at the point of danger. Throughout his whole career it was his misfortune to be involved in personal difficulties, generally, too, with persons with whom he had been intimate, and he has taken special pains to preserve the papers and correspondence in every case. But in relation to the disgraceful charge made by Dr. Brown—his attempted outrage on a young lady in the family of General Cocke—I find no papers. Nor, except in the Brown pamphlet, do I find any reference to it whatever even in the newspapers of that day that habitually assailed him. Such an outrage could never have been suppressed or compromised. It would have crushed a public man immediately, and forever. Had the guilty party fled, as Dr. Brown alleges, he would have been pursued until brought to bay, and then shot down without ceremony. Such would have been the case then, such it would be now. Such crimes are never compromised or forgiven in the South. It must therefore be rejected as unfounded. The faintest rumor of such an assault—the

*Miss Agatha Chinn, of a prominent family of Lexington, Kentucky, and a most amiable and accomplished woman. She died in 1822.

†In this year he had a difficulty with his former friend, Col. W. S. Hamilton, and being Governor, he declined to accept a challenge, and referred the matter to Gen. Jackson, who sustained him, and expressed some very laudable sentiments against dueling!

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shadow of such a suspicion, could not have reached the household of Gen. Cocke, without subjecting the party to summary punishment.*

One year after the publication of Dr. Brown's pamphlet and its array of certificates, Mr. Poindexter was elected to the Convention of 1817, that framed the first Constitution of the State of Mississippi, and was the master spirit of that distinguished assembly. Was soon after elected our first Representative in Congress—elected by men who had witnessed his conduct at New Orleans, who were associated with him every day, and who would have scorned to give him their support had they accepted for one moment the disgraceful charges referred to.

In Congress he was a frequent speaker, and had taken high rank as an expert and able debater. He was not only a vigilant guardian of the interests of his constituents, but took a leading part, and always a broad and national view of all matters affecting the general welfare.

In 1820 he became a candidate for Governor, to succeed David Holmes. General Thomas Hinds had reluctantly been induced to submit his name at the same time as a candidate, with the popular name of Colonel Daniel Burnet, of Claiborne county, on his ticket, for Lieutenant-Governor. With Poindexter was associated General James Patton, of Wayne. In this canvass, all the candidates were Jeffersonian Republicans, and from the earliest period had acted in concert. The issue was purely personal, and all the old slanders, and particularly the imputed cowardice at New Orleans, were revived against Poindexter. And to give them more effect, his competitor was one of the heroes—one of the historical characters of the great battle! The result showed a majority of nearly two to one for Poindexter and Patton.

1820–1–2, he discharged the duties of the office with his usual industry and ability. The labors and responsibilities of the office probably afforded him some relief, for this period of his life was full of sorrows. By his first wife, the beautiful Lydia Carter, he had a son, for whose education he had provided. The divorced mother

* William Cocke, a native of Virginia, of a well known family, was admitted at an early age to the bar, and went to the Holston settlement (now East Tennessee) then attached to North Carolina, where he held the office of prosecuting attorney. In 1784 he appeared as delegate from Sullivan county in the Jonesboro Convention, and was made Chairman of the Committee to devise ways and means for a separation from the parent State. In the Convention that followed Mr. Cocke represented the county of Washington, and took a leading part in establishing the State of Franklin, or Frankland as *he* always wrote it. He was then appointed Brigadier General, member of the Executive Council, and Commissioner to Congress, to plead for the recognition of the new State. We next hear of him on a mission to the Cherokees, and as Commissioner to the authorities of North Carolina. He appeared at the bar of the House of Commons, and delivered an able and elaborate argument, reported by Haywood. In 1796 he was a delegate from the county of Hawkins in the Convention that framed a Constitution for the State of Tennessee, and was on the committee that drafted it. The first Legislature of the new State elected him to the Senate of the United States and gave his name to a new county. On retiring from the Senate he was elected Judge. In 1813 he was a member of the Legislature, and on the fall of Fort Mims, on a call for volunteers, though seventy-five years of age, he enrolled himself as a private, shouldered his musket, and fought at the desperate battles of Talledega and the Horse Shoe. He was subsequently appointed United States Agent in the Chickasaw nation, and resided chiefly at Athens, in Monroe county. His son, General Cocke, was for many years a distinguished representative in Congress from Tennessee. His second son, General Stephen Cocke, an eminent lawyer, was Chancellor of the State of Mississippi.

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placed him at a school near Philadelphia, and the father agreed to defray all expenses. The teachers made no encouraging report of the youth, yet he was capable of writing this affecting letter:

"HAMILTON VILLAGE, Feb. 7th, 1821.

"DEAR FATHER: I am very sorry that I cannot please you in any way. I try my best. I have just left a school where I was not made to study, and I hope you will not expect so much from me here the first quarter. I do not think I can enter college for a year or more, no matter how I try; but if you will keep me at school I will try to do my best. Dear father, do you intend to put me upon the world, without either the care of a father or mother, or without any means of support? Do you intend I shall have no more education after this year? Please tell me what I am to expect. I have felt as any boy would when he has parents to take care of him, ever since your last hard letter. I hope you do not intend to let me enter into the world without some support. Mr. Dodge received a letter from you yesterday. He read it over to me. You spoke to him about locking me in a room, to compel me to learn. Dear father, I will try to learn without being locked up. Dear father, won't you write to me? I have written to you many times, but have never received a letter from you. I still remain your affectionate son."

This letter explains it all. The boy was not bright; but he had good materials in him. The harsh, exacting father placed a barrier between them, and he lived to see the boy, the very image of himself, a pauper, vagabond and criminal. This unfortunate youth died in 1832.*

In 1816, Poindexter had married his second wife, Miss A. G. Chinn, a most estimable lady, and while discharging his duties as Governor, at Columbia, he was informed of the death of their only son. The mother did not long survive. Yet in the midst of all these troubles he performed his executive duties, codified the laws at the request of the Legislature, a work of vast labor and ability, and on the expiration of his term of office became a candidate for Congress in opposition to Christopher Rankin, who had succeeded William Lattimore. It was supposed that Poindexter would distance his adversary, but to the surprise of every one he was defeated, and by a man, comparatively, of ordinary abilities.

The people of the North, and even our own citizens, will be astonished to learn that this defeat was attributed by Mr. Poindexter's friends to some provisions he had introduced into his Revised Code, in relation to slaves—provisions deemed harsh and radically wrong by the religious classes, who concentrated against him, and occasioned his rejection.

September 14th, 1822, his friend Walter Leake, who had succeeded him as Governor, writes: "The result of the late election was as unexpected, as I conceive it will be injurious to the interests of the

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* DR. PENDERGRAST TO SENATOR POINDEXTER.

"LOUISVILLE, KY., Feb. 19th, 1832.

"Early this morning your son Albert sent for me in great haste, that he was suffocating. I set out immediately with the messenger, but he was dead before I saw him. The disease was inflammation of the throat and tonsils. The individual in whose house he died had applied to the Mayor to have him buried, as he had left nothing but the clothes he had on. This I would not permit, and have taken the necessary steps to have him decently and respectfully interred to-morrow. Notwithstanding the coldness you exhibited to me when you were here, I cannot permit the son of an old friend to fill a pauper's grave. No matter what your feelings may have been towards the poor boy, or may be towards me, I am simply doing what I would wish done for me, or mine, under similar circumstances."

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State. It was brought about by the most nefarious means employed by unprincipled men, who were too successful in making false statements, to excite the feeling and enlist the sympathy of *the religious part of the community against some of the provisions of your Revised Code*"*

These provisions were intended as matters of police and as safeguards against insurrection, but a majority of our citizens regarded them as, substantially, excluding the colored people from religious privileges, and they expressed their disapprobation by casting their votes against their favorite and ablest statesman. He who had heretofore carried every election by large majorities, and had trampled down innumerable slanders, was defeated by a sentiment of religious duty and compassion for the blacks! This was long before the fanatics of the North had kindled their incendiary fires, and commenced an agitation that compelled the South, in self-defence, to adopt more rigorous laws. With no extraneous influences acting upon

*AN ACT to alter and amend an Act entitled "An Act to reduce into one the several Acts concerning slaves, free negroes and mulattoes." (Passed January 16, 1823.)

SECTION 1. *Be it enacted by the Senate and House of Representatives of the State of Mississippi in General Assembly convened*, That if any master, overseer or employee shall knowingly permit any slave or slaves, not belonging to him or her, to be and remain in and about his or her house or kitchen, or upon his or her plantation, *above four hours at any one time*, without leave of the owner, overseer or employee of such slave or slaves, he or she so permitting shall forfeit and pay ten dollars for every such offense. And every master, etc., who shall without such leave permit or suffer *more than five* negroes, or slaves, other than those in his or her own employment, to be and remain on his or her plantation or quarter, *at any one time*, shall forfeit and pay ten dollars for every such negro or slave, which said several forfeitures shall be to the informer, and recoverable with costs, before any justice of the peace of the county or corporation where such offense is committed. *Provided, always*, that nothing herein contained shall be construed to prohibit negroes or slaves of the *same owner*, though living at different quarters, from meeting, with their owner's or overseer's leave, upon any plantation belonging to such owner; nor to restrain the meeting of slaves on their *master's or overseer's* business, at any public place, nor on *any other lawful occasion*, by license or writing, from their master, employee or overseer.

SEC. 2. All meetings or assemblies of slaves or free negroes or mulattoes, mixing or associating with such slaves, *above the number of five, at any place of public resort, or at any meeting house or houses, in the night*, or at any school or schools, for teaching them reading or writing, either in the day or night, under whatsoever pretext, *shall be deemed and considered an unlawful assembly*, and any justice of the peace of the county or corporation wherein such assemblage may be, either from his own knowledge or the information of others, of such unlawful assemblage or meeting, may issue his warrant, directed to any sworn officer or officers, authorizing him or them to enter the house or houses where such unlawful assemblages or meetings may be, for the purpose of apprehending or dispersing such slaves, free negroes or mulattoes, and to inflict corporeal punishment on the offender or offenders, at the discretion of such justice of the peace, not exceeding thirty-nine lashes, in the manner hereinafter directed.

SEC. 3. The said officer or officers shall have power to summon any person or persons, to aid and assist in the execution of any warrant or warrants directed to him or them, for the purpose aforesaid, who, on refusal, shall be subject to a fine, at the discretion of any such justice of the peace, not exceeding ten dollars; *Provided*, that nothing herein contained shall be so construed as to prevent the master, employee or overseer, of any slave or slaves, from giving permission in writing to his, her or their slave or slaves to go to any place or places whatever, for the purpose of religious worship; *Provided*, that such worship be conducted by a regularly ordained or licensed white minister, or attended by at least two discreet and reputable white persons, appointed by some regular church or religious society."

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them, the citizens of Mississippi, feeling that all mankind are equals in the sight of God, and that all are equally entitled to hear His word, indignantly rejected the law proposed by Mr. Poindexter, and consigned him to private life. There was at that time no ultraism in the South, in regard to slavery. Many persons emancipated their slaves.* The American Colonization Society was chiefly supported in the South. Maryland, and other Southern States, had established and munificently supported similar associations, and planted flourishing colonies of liberated slaves on the coast of Africa. Mr. Clay, the great statesman of the West, had always favored the gradual abolition of slavery in Kentucky, and yet to the last hour of his life he commanded the confidence, affection and support of the large slaveholders of Mississippi and Louisiana, and in those States his popularity was always in proportion to the density of slave population.

The debates that followed the Southampton insurrection in Virginia, indicated that many of her leading statesmen favored the gradual extinction of slavery, and the Richmond Enquirer, with its powerful influence over public opinion, was, unquestionably, at that juncture favorable to the change. This would, in good time, have been accomplished in Virginia and Kentucky, and, undoubtedly, in other States, but for the wicked and insane attempt on the part of the northern politicians, to accomplish it by national intervention. The French first introduced the yellow fever and slaves, on the sea-coast of Mississippi. The British afterwards prosecuted the trade. And then our northern brethren embarked in it, and by their superior energy soon monopolized the business of kidnapping Africans, to sell to the southern planter. And they received in payment indigo, tobacco, rice, sugar and cotton produced by the kidnapped slaves. It was always a question of conscience in the South whether slavery was right, and public opinion was inclining to the conclusion against it, when the very parties that had introduced the slaves, threw the question, for ambitious ends, into the cauldron of national politics. There was no authority outside of the respective States to abolish, or in any way interfere with negro slavery. The Southern States resisted the attempt as illegal, unconstitutional, dangerous to their independence and tranquility, and finally resolved to

*In one of his earliest communications to the Secretary of State from New Orleans, and frequently afterwards, Governor Claiborne expressed an earnest desire to prevent the introduction of slaves into Louisiana. In 1828 Governor Brandon, one of the purest and ablest of the Chief Magistrates of Mississippi, in his message to the Legislature, used the following words:

"The Southern States generally, having passed laws to prevent the importation of slaves for the purposes of traffic, has left Mississippi almost the only receptacle for the surplus black population of the Middle States, where their labor is not found so productive as in the South; the vast number annually imported into our State, has excited uneasiness in the minds of many of our fellow-citizens, and caused them to feel much solicitude that we should adopt the policy of our neighboring States. *Slavery is an evil at best, and has invariably operated oppressively on the poorer class of every community, into which it has been introduced, by destroying that mutual dependence which would otherwise exist between the rich and the poor, and excludes from the State, in proportion the number of slaves, a free white population, through the means of which alone, can we expect to take rank with our sister States.* With these reflections I submit it to the wisdom of the General Assembly, to say whether the period has not arrived when Mississippi in her own defence, should as far as practicable prevent the further introduction of slaves for sale."

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withdraw from a union in which they could not abide as equals. It was not the institution of slavery, nor a desire to retain it, that brought about secession. Very far from it. A large majority of the men who volunteered in the Southern army, were non-slaveholders. They were not fighting for slavery. Nor was that the motive of the opulent slave-holder, when he abandoned his luxurious home for the rugged and perilous life of the private soldier. It was for the nobler and higher duty of defending the independence of the State against outside interference and usurpation.

Without conceding that secession was expedient at the time it was resorted to, it must be insisted on that the Southern people were influenced by a solemn sense of duty, and that the Northern people are, morally, responsible for the blood that was shed in that terrible and unhappy war.

The obnoxious provisions proposed by Mr. Poindexter had been rejected by the Legislature in 1822. The colored people had the same religious privileges as the whites. They had their colored ministers. They often knelt in prayer in the family circle, in the parlors of their masters. And the very system of plantation preaching which it was charged Mr. Poindexter desired to prevent, was in full operation.

The following letter from an estimable minister of the Presbyterian Church, to Gen. Quitman, (a native of New York, but a large slaveholder, and one of the few of our citizens that defended slavery *per se*) illustrates the point:

PINE RIDGE, Sept. 4th, 1831.

Gen. J. A. Quitman—

HONORED AND DEAR SIR: I doubt not you will excuse me for trespassing upon your attention for a few moments—especially when you learn the occasion. The Church of Pine Ridge, within whose bounds you have a plantation, is now making an effort to give the gospel to every rational being under its care—the *young* as well as the *old*—the *bond* as well as the *free*.

In order to do this effectually, it is necessary to adopt the system of *plantation preaching* which is now acknowledged to possess more advantages than any other. It requires, however, a greater number of preachers, than where all can be assembled in one place.

One minister can take charge of about nine plantations, giving them instruction, *preaching* and *catechising* every second or third Sabbath; preaching during the week when desired, celebrating marriages, visiting the sick and burying the dead.

There are already two such assistants employed in my parish, and thus far the plan has succeeded admirably.

Nearly all the planters here feel their responsibility for their servants, so deeply, that they have united to provide *regular* and *frequent religious* instruction for them by good and competent teachers. In this way the servants are made accountable for themselves and the master is relieved from his most solemn responsibility in this respect.

Nearly every plantation has adopted the plan, and by uniting, the expense is very trifling, about one dollar per head, for all over four years of age. The services of an *educated* man, (and none others are so well suited to the work,) cannot be obtained for a salary less than five or six hundred dollars.

Some of the smaller plantations, in order to have as frequent service as the others, give rather more than a dollar apiece.

As a church, we are laboring and praying for the conversion of the whole world, and we deem it but reasonable that the good work should commence at home. And masters, when they remember their accountability, and that they are

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to meet their servants at the judgment bar of God, readily concur with us. They acknowledge their obligation to provide for the *spiritual* as well as temporal wants of those whom God has entrusted to their care.

I would further add, that the teachers employed will be under the constant supervision of the session of the Church, some of which are themselves planters in this neighborhood.

Hoping to hear from you as soon as convenient, and to learn your views and feelings, as regards the subject in general, and also in reference to your own place in particular, I remain,

Yours most respectfully and truly,

B. W. WILLIAMS.

The Legislature, as a matter of public and internal tranquility, had found it necessary to prevent the manumission of negroes who were to remain in the State, the residence of an intermediate class between the slave and the owner having been found incompatible. But there was a growing feeling in favor of emancipation and colonization, and the example of the Maryland Society, and the writings, particularly, of its most active manager, the Hon. J. H. B. Latrobe, of Baltimore, had materially influenced public sentiment. Judge James Green, of Adams county, a native Mississippian, of Virginia parentage, emancipated by his will one hundred and fifty negroes, provided for their transportation, with one year's provisions and medicines, and a full supply of agricultural implements; and his will was faithfully carried out by his heirs-at-law who were large slave-holders. Greenland, on the African coast, was the home selected for his people.

The celebrated case of Ross and Ross vs. Duncan, et al., and same vs. Vertner, et al.—Freeman's Chancery Reports, 587–702, merits notice, in this connection, as illlustrative of public sentiment in Mississippi, on the slavery question.*

*Gen. John D. Freeman is a native of Cooperstown, New York. He came to Mississippi when very young, opened a law office in Grand Gulf, (then a flourishing city,) and soon acquired a handsome practice, and was made District Attorney. He soon afterwards removed to Natchez, and formed a partnership with the Hon. J. S. B. Thatcher, (subsequently one of the Judges of the High Court of Errors and Appeals,) and took position at once as one of the leaders at a bar distinguished for its great ability and high character. In 1841 the Democratic State Convention nominated him for Attorney General. With the Hon. Wm. M. Gwin, (then one of the Democratic nominees for Congress, since Senator from California, and one of the ablest and most remarkable men of his times,) he made a thorough canvass, during which he defended the general issues of the party, and the action of the State on the Union Bank bonds, and challenged all comers to meet him in debate. His argument on this overruling question was masterly and conclusive. He encountered Messrs. Prentiss, George and J. S. Yerger, and other great legal and political lights, and the popular verdict was always in his favor. Some of his adversaries attempted what, in those days of dueling and the bowie-knife, was known as the *"frowning down"* system, taking it for granted that so young and mild a man, of northern birth, might be easily intimidated. But it was soon ascertained that with placid exterior and northern education, he had brought a courage firm as the granite of his native hills, and a susceptibility to affront or dictation not to be trifled with.

Gen. Freeman was subsequently elected to Congress on the Union ticket, as contradistinguished from the secession or separate state action ticket. He supported the compromise measures which, had they been respected, would have averted civil war. Since the war he has resided in Jackson, in the practice of his profession.

During the occupancy of Jackson by the Federal troops, they sought out and burned his beautiful mansion, extensive library, and costly furniture.

No native son of Mississippi has, under all reverses, and at every personal sac

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August 26th, 1834, Isaac Ross, a native and citizen of Jefferson county, Mississippi, made a will to which he, subsequently, attached four codicils of different dates. He died January 19th, 1836, leaving three heirs, Jane B. Ross, Isaac Ross and Margaret A. Reed.*

The will of Isaac Ross, amended by the codicils, was substantially to this effect:

1. To his grand-daughter Adelaide Wade, he gave his cook, a woman named Grace, and all her children living at the time of his demise, unless the said Grace should elect, of her own free will, to go to Africa, in which case she and her children were to be transported there with his other slaves as hereinafter provided for. And then the said Adelaide, in lieu thereof, was to have an additional $2,000 besides her other bequests.

2. His aforesaid grand-daughter shall take charge of and maintain comfortably, during their natural lives, testator's negro man Hannibal, and his three sisters, and he gave to Hannibal $100, annually, for life, and to each of his sisters $50, annually. But should they elect to go to Africa, they shall be permitted to go with and on the same footing with the other slaves; and should he so elect he shall be paid when he embarks $500, in silver, in lieu of the aforesaid legacy.

3. Enoch, wife and children were to be conveyed free of expense, in twelve months, to the free State they might prefer, there to be manumitted and receive $500, in coin, or to Africa if they chose, on the same footing with the others, and receive $500.

4. Excepting Tom, William, Joe, Aleck and Henrietta, and Jeffers, (who are to be sold as hereinafter provided,) all the slaves aged twenty-one and upward, within ten days after the growing crop shall be gathered, shall be called together by the executors and the provisions of the will be fully explained. Those electing to go shall be sent to Africa under the authority of the American Colonization Society. And the remainder of his estate, real, personal and mixed, (excepting always the negroes whose names are mentmentioned above,) be offered for sale at public auction, one-half the purchase money to be paid in cash and the balance in twelve months. The proceeds of sale, and any money on hand or due, after deducting enough for the aforesaid legacies, to be paid over to the A. C. S., provided it will consent to appropriate it as follows, to-wit: 1st. To pay the expense of transporting to Africa to such of my slaves as may elect to go. 2d. To expend the remainder for their support and maintenance while there.

5. Should the slaves refuse to go there, they (except those that have been specially named) are to be sold, and the proceeds paid over to the A. C. S., to be invested at 6 per cent., the interest to be employed for 100 years, in maintaining an institution of learning in Liberia, in Africa. If there shall be no government in Liberia, the said fund to be transferred to the State of Mississippi for a similar institution.

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rifice, been more faithful to her and her people, than this gifted son of New York. Had he been a mere political bummer, he would have attained the highest and most lucrative positions under the reconstructed government, but he preferred private life and poverty to wealth and power, obtained by duplicity, and desertion of the people who, in their days of prosperity adopted him as a son.

He is the author of "Freeman's Chancery Reports," a work of acknowledged ability and authority.

Gen. Freeman married the daughter of the late Hon. George Adams, United States District Judge for Mississippi, and is brother-in-law of those distinguished Confederate officers—Gens. Daniel and Wirt Adams.

*This lady, the accomplished daughter of Isaac Ross, in early life, had promised her hand to Mr. —— Fry, a prominent young lawyer, but he was killed in a duel, opposite Petit Gulf, (Rodney) with Maj. Daniel Beasely, who shortly afterwards fell at Fort Mims. She subsequently married Mr. Archer, a gentleman from Maryland, and after his death became the wife of the Hon. Thomas B. Reed, United States Senator from Mississippi.

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6. Daniel Vertner, James P. Parker, Dr. Elias Ogden, Isaac Ross Wade and John B. Coleman were appointed executors without bond.

After the death of Margaret A. Reed, James B. Ross and Isaac A. Ross, represented by Joseph Holt (so well known since at Washingington) and James B. Thrasher, (a northern man) filed two separate bills in the Vice Chancery Court, one against Vertner, et al., executors of testator, and one against Butler and Duncan, devisees of Margaret A. Reed.

The bill, in the first case, was based on the averment that the provisions or trusts in relation to the transportation of the slaves to Africa, were in evasion or violation of the policy of the State in relation to domestic slavery, and in fraud of the statute prohibiting manumission. And that the bequest to the A. C. S. was illegal and void, being for an illegal purpose.

The bill against Butler and Duncan was on the ground of fraud, in that the devise was for a secret, illegal trust, having for its object the manumission of slaves, etc.

To both of these bills demurrers were filed by defendants, represented by Montgomery & Boyd.* The Vice Chancellor sustained these demurrers, and the complainants carried the matter before the Superior Chancery Court, Robert H. Buckner, Chancellor. The Vice Chancellor's rulings were sustained, and the parties went up to the High Court of Errors and Appeals.

Here the demurrers were again sustained, and the bills dismissed.

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*This was a firm of high rank. S. S. Boyd was a native of Maine, highly educated, and retained through life the habit of a student. He was a logical and demonstrative speaker, and deeply read in the learning of his profession. He never coveted office or sought popularity, yet no man commanded more confidence and respect throughout the State.

His associate, Alexander Montgomery, was a native of Adams county, of limited education, but of vigorous and inquisitive mind, and he had been the pupil of George Poindexter and Edward Turner. He always desired to know the why and wherefore of every matter, great or small. He became an expert wrangler, very difficult to stump or head off from the main issue under a cloud of witnesses or an avalanche of rhetorical pyrotechnics. He carried this reputation to the Bench. Judge Montgomery belonged to one of the most influential and extensive families, with wide spread connections over many counties.

The family originated in the famous old Waxsaw settlement, of South Carolina, and like most of the settlers there, were of Scotch ancestry, but had emigrated from the north of Ireland. They were originally in independent circumstances, affluent for those times, but were robbed and impoverished by the British and tories. Alexander Montgomery, the first of the name known here, first removed to Tennessee, and thence to Mississippi. He was wholly without means, but was a man of fine personal appearance, of much intelligence and indomitable firmness and energy. These were qualities that rarely failed of success in this then new country. He rapidly acquired property and position. He married first a daughter of Maj. Richard King, and secondly Miss Swayze, of highly respectable families that came to Natchez in Spanish times. He became one of the leaders of the Republican party; was, year after year, placed at the head of its legislative ticket, and was made Speaker of the House, and would have been made Governor, had he lived two years longer. Hon. P. K. Montgomery, of Jefferson, is his only child now living.

Four of his brothers, William, Samuel, Robert and Joseph, all men of fine sense and sterling character, followed him to Mississippi, and laid the foundation of the very large and influential family of that name. They have been distinguished in the pulpit, at the bar, on the bench, in the public councils, and in the army. Several fell in battle in the civil war, and others greatly distinguished themselves as gallant and distinguished officers.

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The court decided (Freeman's Chancery Rep. 587): 1. That it is competent for a slave-holder, during his life, to take his slaves to Liberia, or elsewhere, there to remain free from the condition of slavery. 2. The right to dispose of property by will is as broad and comprehensive as the right to dispose of it while living. 3. The statute of Mississippi regulating the manumission of slaves, does not prohibit, either in letter or spirit, a citizen from directing, by will, that his slaves be removed out of this State to Liberia, or elsewhere, even though consequential or avowed intention be emancipation. The right to emancipate slaves is not destroyed by the statute. It is only qualified when exercised within the limits of the State. 4. The court will not look beyond the act of moving slaves from the State to their place of destination, to see whether, by the laws of that place, emancipation would be a consequence of such removal, in order to establish a fraud upon the laws of Mississippi.

Thus we have an authoritative exposition of the laws of Mississippi, on the subject of slaves, and the power of enfranchisement. And but for the mischievous interference and menaces of northern politicians and clergymen, in pursuit of power and pelf, many slaves, after this decision, would have been transported to Africa from the South. Their concentrated efforts and gigantic combinations overwhelmed the conservative element in the free States—fired the West, recently filled up by a foreign population, with the revolutionary cries of Europe, for freedom and equality, and brought on that fratricidal war, the bloodiest and most deplorable record on the scrolls of history.

This defeat closed, for a series of years, Mr. Poindexter's public career. He had been Attorney General, Representative in the Legislature, twice Delegate to Congress, Judge, member of the Convention of 1817 to frame the first Constitution, Representative in Congress, and Governor—in every instance elected by triumphant majorities. The Convention embraced many men of ability, but he threw all of them into the shade. No one can read his executive communications, or his Revised Code, without noting the foot-prints of a master intellect. In Congress his career had been very distinguished. He was a frequent debater, and usually grappled with the strongest men. On all the great issues of that day he made his mark, and in the great debate of 1819, that involved not only the reputation of General Jackson, but important international questions, and the complexion of political parties for the next decade, he confessedly took precedence. It was one of the most memorable and exciting debates that ever occurred in Congress. Mr. Clay, then in the meridian of his intellect, popularity and influence, led in the arraignment of Jackson, aided by Mr. Calhoun and many of the most prominent statesmen. Mr. Poindexter led in the defence, and the national verdict then was that his argument was unanswerable. He returned to Mississippi with the wreath of victory on his brow, and became the idol of the people. He had been triumphantly elected Governor over a popular favorite, and had increased his popularity by his able administration. Yet a single clause in a law that he recommended, in relation to slaves, offended the religious sentiment of a conscientious people, and they promptly

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discarded him for a young attorney of northern birth and ordinary capacity!

He became sour and ascetic. Dyspeptic, rheumatic, indiscreet in many particulars, his first wife still living, his second in the grave, his son a vagabond, no wonder he grew cynical and morose. In one of his letters at this period, with a pardonable egotism, he says: "The Indians give no quarter, because they believe that they shall inherit the prowess and weapons of every adversary that they destroy. Perhaps the hatred and animosity I encountered may be explained in the same way."*

He was too important a man, however, to be overlooked by politicians in other quarters. And in 1822, when the first movement was made to bring forward Gen. Jackson for the Presidency, a movement Mr. Clay's antagonism to the General had greatly stimulated, if it did not actually produce it, Mr. Poindexter received the following letter from Major Wm. B. Lewis, who then, and for many years, stood in a very confidential relation to the General—was, in fact, his most trusted adviser.†

NASHVILLE, October 10th, 1822.

DEAR SIR: At the last session of the Tennessee Legislature, resolutions were adopted, having for their object the recommendation of General Andrew Jackson as a suitable person to succeed Mr. Monroe in the presidency. These you no doubt have seen. The friends of the General in this State calculate that Louisiana, Mississippi and Alabama, in the South, will pass resolutions by their Legislature, of similar import to those adopted by our State, and they know of no one in your State, on whom they can rely with more con-

*The same thought, in nearly the identical words, was uttered by Lord Bathurst in 1721, in the House of Lords, when the Right Reverend Prelates in that body, with a single exception, voted for the deprivation and banishment of Bishop Atterbury, intellectually superior to them all.

†Wm. B. Lewis was a quiet, reserved, but well informed, observing man, of a diplomatic turn, and much addicted to political wire-working. He was the habitual adviser and amanuensis of the General. Accompanied him to Washington, and accepted a position as Auditor. In the subsequent competition between Mr. Van Buren and Mr. Polk, Maj. Lewis preferred the former, and was subsequently evicted during Polk's administration. President Polk was said to be very pious, but he never was known to forgive an opponent. When he became President there was but one relative of Henry Clay in office. His son-in-law, the late Martin Duralde, was naval officer in New Orleans, a position without patronage or political influence. His father, an opulent planter of Louisiana, had been the friend and correspondent of Jefferson. The son was a man of unexceptionable character, had lost a large fortune by endorsement for friends, was a Whig in principle, but sided with the Democrats in favor of Texas annexation. I was then the editor of the Democratic organ in New Orleans, and I suggested to the President that the retention of Mr. Duralde would be very acceptable to the ancient inhabitants of Louisiana; a graceful homage to Mr. Clay, and be peculiarly agreeable to the Hon. Henry Johnson, Senator from Louisiana, a Whig, a warm friend of Mr. Clay and Mr. Duralde, but who proposed to vote with us on the annexation question. At that moment one of the nominations for the Cabinet hung fire in the Senate; one vote was wanted to carry it through. The President expressed much solicitude on the subject, and suggested an interview with Senator Johnson. When it terminated the President said, with more *empressement* than usual with him, "gentlemen, write to your friend that he is safe."

The Cabinet nominee was confirmed by the vote of Senator Johnson. Texas was annexed with the aid of Senator Johnson, whose term of office expired about that time. And *then*, without a warning, without a charge, or an explanation, Martin Duralde was removed.

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fidence than yourself to effect that object, provided you entertain the same opinion of the General's qualifications as the members of the Legislature of this State do. It is thought you will feel no unwillingness to assist in this undertaking from the high opinion, it is believed, you entertain of his merits—and also from the known friendship that has long existed between you, and which, I am confident, is not in the least diminished on the part of the General. His friends have recommended him to the people of the United States as a fit person to be the next President, without even consulting his inclination upon the subject, nor has he any knowledge of the course it is expected to pursue to secure his election, but they entertain no doubt of his willingness to serve if elected.

'Tis thought that North Carolina will support the General's election, as it is known he is exceedingly popular in that State, and some influential men there have pledged themselves to have resolutions similar to those above named, adopted by the Legislature of that State; and if Mr. Calhoun shall not be run by his friends, (and it is believed he will not,) I think there is very little doubt but that South Carolina will also support him. Mr. Calhoun, I think, stands no chance to be elected, for the present, and of this he and his friends must shortly, if not already, be sensible. It is then calculated by the friends of General Jackson, that Calhoun, who is one of his warmest friends and admirers, together with his friends, will give him the whole of their influence. The same calculations are made, with respect to DeWitt Clinton, who, although he at this time belongs to the weaker party in New York, has unquestionably great influence in that State.

But what is still more encouraging, it is discovered that the Philadelphians are coming out very handsomely in favor of the General; and most of the papers from the interior of Pennsylvania, and particularly those of Harrisbourgh, the seat of government, are supporting him. When we take into consideration the local situation of Pennsylvania, it must be viewed as the pivot on which most of the presidential elections are made to turn. If then, this State can be calculated on in the support of the General, no doubt can be entertained as to the result of the election. Indeed, *I have* no doubt, nor have his *friends* here any doubt but that he will be the next President, for the scheme, so far, has succeeded far beyond their most sanguine calculations.

If your leisure will permit, I shall be glad to hear from you upon this subject, and in the meantime, I have the honor to be,

Very respectfully, your obedient servant,

W. B. LEWIS.

Mr. Poindexter gave in his adhesion to the General, and was recognized as one of his best friends. He had, however, now become a chronic invalid, crippled with rheumatism, at times incapable of walking, and passing most of his time outside of the State, in search of health.

In 1828, while in Philadelphia, under the care of Dr. Chapman, Gov. Brandon, on the death of John G. Clark, tendered him the commission of Chancellor. In declining the office on account of physical incapacity, his love of fame and of popularity crops out, and though then a mere wreck, it is evident the old fire still burned within: "Your favorable opinion of my conduct, public and private, derives additional value from your intimate acquaintance with both, during the whole period of my residence in Mississippi, commencing with your school-boy days, and continuing up to the present moment. If I have erred, in anything material for the last twenty years, it could not have escaped your notice and disapprobation." A pretty piece of white-washing.

Sept. 5th, 1828, he addressed from Philadelphia, a long, able and artful letter to Gen. Jackson, in which, after an elaborate apology for not writing for several years, he says:

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Another motive was in the attitude in which you now stand before the country. I desired to avoid the implication of seeking to draw from your declarations of your views in the conflicting doctrines, and subjects that now agitate the public, and thus commit you before hand—views that ought *generally* to be withheld until official duty require their promulgation. Grave opinions of men and measures should be cautiously declared. I would not presume, by any act of mine, to invite such disclosures, even by implication, nor seek to become the depository of sentiments which prudence demand should be held in reserve. The high estimation in which I have ever held your claims to the gratitude of your country has undergone no change, amidst the calumnies by which you have been assailed, to the disgrace of the American press. My opinions do not readily change. Yet I have been compelled to relinquish the partiality I felt for Mr. Adams, and his cabinet, at the commencement of his administration. In the last election for the presidency, I should have voted for Mr. Adams in preference to any man, before the people, except yourself.* I regarded him as favorable to a strict and liberal construction of the Constitution, and in favor of state-rights, to the full extent of the Republican doctrine. I also distinctly understood him to be against an extravagant tariff, and to confine his views stictly to a judicious selection of specified articles of foreign manufacture on which duties ought to be laid to encourage home production. I have been disappointed in him and his entire administration. * * Whether he has followed his own chart or been misguided by *a master spirit*, (a hit at Henry Clay, whom, of all men, Jackson most hated,) is matter of inquiry

In 1829 the death of Thomas B. Reed occasioned a vacancy in the Senate of the United States. The old friends of Poindexter in Mississippi brought him to the front. But he was in Louisville, in the hands of a physician, and it was currently reported (and was probably true) that he was unable to walk. Notwithstanding these reports, his friends pressed him for the position, and he was brought from Kentucky to his home in Wilkinson county. His principal opponent was Robert H. Adams, of Natchez, who had come there, a few years previous, from Tennessee, and taken high rank at the bar. Mr. Adams was not a man of education, but had made himself a good lawyer, and as a speaker was eloquent and forcible. He had taken an active part for General Jackson, and just before Mr. Reed died, had been elected to the Legislature from the county of Adams. The principle argument in his favor, among the Jackson men, was the physical inability of Poindexter. The friends of this gentleman urged his attendance at Jackson, but he persistently refused on the ground that he would not stoop to personal solicitation.

This was a mere *ruse*. He had "stooped" to solicit the suffrages of the people, in successive campaigns for Congress and for Governor, and there certainly could be no degredation in repairing to the seat of government for consultation with his friends The restraining motive, however, was his physical inability, which he was afraid to exhibit. His friend, William Burns, of Natchez, thus announced the result to him:

"The die is cast. The vote stood: Adams 24, Poindexter 18, Childs 3, R. J. Walker 2. The Speaker, Jo. Dunbar, and Haile, of your own county, voted for the latter. We counted on them for you through thick and thin. You lost Dunbar's vote on account of your health. He would *not* vote for Adams under any circumstances, and threw away his vote on Walker. As for Haile, he is a man of impulse, whose eccentrity defies all calculation. J. F. H.

*Adams, Clay, Crawford, Calhoun and Jackson were the candidates before the people.

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Claiborne's vote excited the greatest interest. He and Adams were elected to the Legislature on the same ticket before the vacancy in the Senate occurred. The whole bar of Natchez took strong ground for Adams. The citizens of Natchez, and a good many in the county, sent up a sort of instruction to Claiborne to vote for Adams. The Senator from this district was warmly for Adams. Claiborne is very young—they now say he is a minor—but he resisted all these influences and cast his vote for *you*. Adam's friends swear he shall never be elected again, but he is very strong in the county, and will be hard to beat."

Mr. Adams served one session in the Senate very creditably, making one speech, which was well received, returned to Natchez, and died of congestive chill in August, 1830.

Poindexter had returned to Louisville for medical treatment, and on the 8th of September, Governor Brandon appointed him to fill the vacancy.

November 19th, his devoted friend, Lieutenant-Governor A. M. Scott (afterwards Governor of the State) wrote to him from Jackson:

"I have the heart-felt joy to announce that yesterday you were almost *unanimously* elected Senator. It was the proudest moment of my life, when as presiding officer of the two houses, on joint ballot, I announced officially that you were duly elected a Senator of the United States. I have always said that the people were for you, and on this occasion they went so far that some of their representatives were instructed to vote for you dead or alive. Every member was at his post. General Dickson and Charles B. Green declined. Judge Childs alone had the hardihood to stand, assisted by Gen. Pray, of Hancock, and John Gildart, of our county. They were exceedingly active, and we have drawn black lines around them. You received every vote but six. Claiborne is the most delighted fellow I ever saw. All your friends congratulated him. They made the issue of his voting for you in preference to Adams, against him in Natchez and the county, and we all apprehended his defeat, but he was re-elected by the largest majority ever cast for any one there."

No man ever went into office more emphatically the choice of the people, than General Poindexter. They had learned to regret his defeat by Mr. Rankin; to feel the want of his great experience and ability in the public service, and having elected General Jackson to the presidency, and seeing the powerful coalition against him, the people of Mississippi desired to send their ablest citizen to aid him against his enemies. This was really the feeling that elected Poindexter to the Senate.*

But, to the astonishment of every one, he gradually drifted into the ranks of the opposition, into the embraces of men who had been his inveterate enemies, and from those who adhered to him at the sacrifice of their own popularity. He became one of the most active and implacable enemies of the administration. Honest convictions may have placed him in this attitude. It is likely, however, that he had anticipated a place in the Cabinet, on the election of General Jackson, and fancied himself neglected. His vanity and vindictiveness were strongly developed. It seems, too, for some unexplained reason, perhaps for some distrust, he had not received the usual civilities ten-

* One of his most devoted friends, Col. John A. Grimball, then Secretary of State, in a letter dated Jackson, Nov. 20th, 1830, after warmly congratulating him on his success, adds: "The joy that your election affords me is increased by the consideration that our illustrious chief magistrate will find his ablest champion in him who, in 1819, drove back and trampled down a host of enemies."

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dered to a Senator. The following characteristic letter is to the point:

WASHINGTON CITY, Feb. 13th, 1832.

Hon. Edward Livingston, Secretary of State:

SIR: As an acquaintance of many years has existed between us, a part of which period our intercourse was of the most friendly character, and as a compeer in the Senate of the United States, during its last session, I deem it incumbent on me to state more particularly to *you*, the *real* causes, why I could not, without a sacrifice of the respect which I owe to myself, accept your card of invitation to dinner on the 10th inst. But for the high respect which I entertain for you as an eminent citizen, and a patriotic statesman, I should not trouble myself with this matter farther than to decline the invitation. I have been three months in this city, and yours is the first intimation I have received of an intention on the part of those connected with the Executive Department of the Government, to extend to me any civilities whatever! This marked neglect could not have been *accidental*, and as I have been informed (perhaps erroneously) was the result of the known wishes of the President himself.

Without feeling the slightest solicitude as to the attitude which the Executive and his Secretaries may choose to assume towards me, in my public or private relations with society, this state of the case, left unexplained, will produce non-intercourse between myself and those high officers of the government as at present organized, while I remain a member of the Senate.

I have the honor to be, with great respect,

Your most obedient servant,

GEORGE POINDEXTER.

February 10th, 1832, he addressed J. F. H. Claiborne, Representative in the Legislature, as follows:

My duties in the Senate have prevented me from carrying on a correspondence except strictly on business. This will account for my not having written you, nor have I received a communication from you since I took my seat in the Senate. I now take the liberty to address you, for the purpose of enabling you to remove impressions which have been attempted to be made on my mind, in regard to the attitude you have assumed toward me since I left Mississippi. I have received two letters from Clinton, written by persons well known to you, stating that you had become my open enemy, and had written several abusive articles in the paper of Andrew Marschalk, a man known to me, and to you, to have been destitute of principle or common honesty throughout his life. I expressed to these gentlemen my doubts of the correctness of their information, and must be permitted still to doubt it, until I am assured of the fact by yourself. I have made it a rule through life never to depart from a friend without giving him due notice of my intention, with the reasons that influence me, affording him a fair opportunity for explanation.

The friendship which existed between your father and myself, during his life, and which I have ever cherished for your respected mother, with the solicitude I have ever manifested for your advancement, ought to have shielded me from any hostile movement on your part, for any act whatever, until you had satisfied yourself that it was not in my power to give a suitable explanation. Not having heard one word from you as to any vote or movement of mine which gave you dissatisfaction, I confess it was not without surprise that I heard those publications attributed to you. It is impossible for you to know, at the distance of one thousand miles from this city, what causes exist to govern my senatorial conduct in reference to persons or measures. And if in any respect my actions have not corresponded with your views of my public duties, it was your duty to inquire of me. So far as I may have dissented from the course pursued by President Jackson, I am able to justify every step which I have taken. And I cannot see how any one claiming to be a citizen of Mississippi, can approve his attempt to invade the rights of the people of the State,

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or censure me for resisting his encroachments. Believing that it is not in your disposition to sanction corruption in any form, I cannot doubt that were you in my place you would do as I have done.

FROM J. F. H. CLAIBORNE TO HON. GEO. POINDEXTER.

NATCHEZ, March 8th, 1832.

DEAR SIR: Your letter of the 11th ult. reached me this moment, and I commence my reply by declaring that, not a line detrimental to your fame or character has ever been written by me. The ascription of articles in the newspaper referred to, no matter how inconsistent they be with my known opinions, I suppose may be imputed to the fact that during the Presidential canvass, while in a law office here, at the request of the Jackson Executive Committee, its editorial columns were confided to me. You should have given, and I now ask you for the names of your informants, and I doubt not I shall be able to trace their correspondence to some selfish or vindictive motive. If I remember the articles referred to, they were based exclusively on your *past* career, not on recent events. How then can you suspect me of such an attack, when with a full knowledge of every charge made against you for twenty years, and against my own personal interests, and in defiance of every kind of influence, intimidation and cajolery, I voted for you on two different occasions, for the Senate, against my own colleague, the leader of my party, and doomed myself to unrelenting hostility?

While, however, denying that I ever wrote a word against you, it is due to candor to say, that I have not and do not accord with your course in the Senate. If it be true that you have arrayed yourself against the administration, that you have denounced General Jackson, and avowed yourself a Nullifier in such a sense of the word, as would destroy the Union or involve us in civil war, to get rid of an unpopular tariff, if such be your position, then I state now, as I have heretofore stated, I can no longer be classed among your friends.*

Early prepossessions—hereditary friendship—admiration of your talents—will no farther influence me. I am a young man, but my opinions on political subjects have been radically and deliberately formed. I imbibed them in the mountains of your native Commonwealth, and like the rocks on those mountains they are not easily upturned. I am in the habit of expressing these opinions freely, and of defending them when assailed. I came into public life very young, and found arrayed against me most of those that had been your bitter enemies. The friends of General Jackson stood by me, and the principles they inculcated were such as I had been taught in Virginia, and which you always professed. I supported General Jackson because I believed that in his triumph our principles would triumph. Believing as I have ever believed, and do now, that he is pure; that he is competent; that he is firm; that he is endeavoring to run the Government in its true constitutional groove; you may be assured that I have heard with the deepest regret of the position you have considered it your duty to assume.

As one of your constituents, as a member of the Legislature who, at two

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*I find in the Poindexter papers the following letter from the eminent publisher of Philadelphia:

PHILADELPHIA, Dec. 20, 1833.

I am much pleased with your definition of NULLIFICATION, as *not* a right, but a *remedy*. I am convinced that this distinction is not unimportant, and believe that it will clear the minds of many.

I beg leave to inclose you a currency scheme, which I am also sending to Mr. Calhoun and Mr. Clay, and others.

With great respect, sir,
Your obedient servant,
E. LITTELL.

To the Hon. Geo. Poindexter.

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successive sessions contributed his utmost to your election, and who would have shed his blood to sustain you, I say to you frankly, that the people of Mississippi will never doubt the patriotism, competency or republicanism of Andrew Jackson! Flatterers—closet politicians—visionaries—may tell you otherwise. For God's sake do not credit them. For your fame, and your future, turn a deaf ear to all such representations. If you have abandoned the Administration, if you have exerted your great abilities to destroy the man we expected you to defend, and are in league with politicians who are against us in everything, then, no matter how short may be my life, I shall live to see the sudden and utter prostration of your popularity and influence. I speak candidly—yes, affectionately. You well know the feelings of my heart. I shall cease to follow your standard. Only yourself can make me your enemy. I have read volumes of detraction against you, without having my constancy shaken. But if you acknowledge an abandonment of your ancient principles, as it is said you do, then I must no longer manifest my old attachment for you, however long it may linger in my bosom.

These letters indicate the state of things in Mississippi at that time. There had been a complete change on the chess board. The party that elected Poindexter arrayed itself against him. His old opponents and revilers became his friends, and both sides believed that they were right.

There is no doubt, as heretofore intimated, that Mr. Poindexter's hostility to the administration was first occasioned by some disappointment or fancied neglect. But the pretext for the rupture, which he had, doubtless, long contempleted, grew out of some land office appointments which promised to be lucrative, and were eagerly sought after by some of his adherents—who, however, zealous in *his* support, were not classed as the friends of General Jackson. He first endeavored to have one of these appointed Surveyor General. He applied in person to the President, and was politely refused, for reasons which seemed to be satisfactory. But, with his usual pertinacity, he pressed the application in writing, and received the following reply:

WASHINGTON, Dec. 20th, 1830.

DEAR SIR: I have just received your note of this date in relation to he appointment of a surveyor for the district of public lands, South Tennessee. Your views correspond with mine and the practice of the Government in most cases, heretofore; but they do not seem to have embraced the fact that the district in question, includes two States instead of one; and that, therefore, an appointment, upon the principles stated by you, would not necessarily fall to Mississippi. Seeing that Louisiana would remind me of her claims as forcibly as you have represented those of Mississippi, it occurred to me that both, not being able to obtain it, would consent to relieve the President of the delicacy of a choice between them, and allow him to offer them a citizen every way qualified from another State. Another consideration, suggesting the propriety of this course, may be found in the fact that the public interest had been much neglected by the various removals and resignations, to which that office had been lately subjected, and the consequent necessity for the appointment of one who would certainly devote his whole attention and time to its duties. My friend, Col. Hays, combining all the necessary qualifications and having been, on various occasions, strongly recommended for office by many distinguisbed citizens, has been selected and nominated for the office in question.

Should the land district be divided and Mississippi be formed into a separate one, then the claims of the worthy gentleman you have named will be respectfully considered.

I have expressed my concurrence with your views generally as such which must, in the main, influence the appointments. You must be sensible, however, that these views do not derive their force from any claim which the citizens

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of any State can urge as a matter of right. These are national offices, open to citizens from all the States. They have been established for the public good, and must be be filled to that end.

Very respectfuly,

ANDREW JACKSON.

A few months thereafter, the President, under peculiar circumstances, appointed Samuel Gwin, a native of Tennessee, but a citizen of the District of Columbia, Register of the Land Office, Mount Salus, (now Clinton) Mississippi. Colonel Gwin had been for years a *protege* of General Jackson. He was the son of one of his most valued and confidential friends, the Rev. James Gwin, the pioneer of Methodism in Tennessee. Both father and son had followed his standard in many a sanguinary fight, and had risked their lives and shed their blood on the soil of the Mississippi Territory, to save our women and children from butchery. It was not supposed that the appointment of a gallant soldier, of unexceptionable character and qualifications, would be objectionable to the people of Mississippi. As a citizen of the District of Columbia, too, he had claims on the National Government. The Americans there are virtually stripped of their birthright. They are, substantially disfranchised. They are not represented in Congress, and have no voice in framing the laws that control their fortunes, their liberty and lives. They should be in effect, the true wards of the nation, and may be properly sent by the National Government into any of the States, to occupy federal offices, without wounding the nerve of State pride.

But Colonel Gwin shall tell his own story, in the following letter:

WASHINGTON, Oct. 14th, 1831.

Hon. George Poindexter, U. S. Senator:

SIR: My recent appointment, Register of the Land Office at Mount Salus, makes it my duty to explain to you, why I sought the position, and to say something of my antecedents. I am a native of Tennessee, was a volunteer under General Jackson in his Indian campaigns; was in Coffee's brigade in the assault and capture of Pensacola in 1814, and in all the engagements with the British below New Orleans. I lost my health by long protracted exposure, and to this day am a habitual sufferer. In 1829 the Postmaster General was good enough to give me a clerkship in his Department, since which I have never been absent a day from my post. My beloved wife is now threatened with confirmed consumption, and I am advised that the only hope for her recovery is to take her to a warmer climate. Under this advice, and with this hope, and for the happiness of a young family, I submitted the case to the President, and, with the noble sympathies of his nature, he conferred on me the Mount Salus appointment.

I do not apprehend that any one will doubt my qualifications or character, but I fear my non-residence may be considered an objection. For this I must ask indulgence. I have never resided in Mississippi, but I have shed my blood on her soil, in her defense, as the records of our battles will attest.

My venerable father, and six brothers, were soldiers of the Revolution.

The whole Tennessee delegation in Congress, a majority of the members from Kentucky, and the late member from Mississippi, Gen. Thomas Hinds, recommend my confirmation. Many citizens of Mississippi will unite in this recommendation.

I was introduced to you during the siege of New Orleans, by my friend, Gen. Carroll, but you have probably forgotten the incident.

I shall enter on my duties with a determination to discharge them faithfully, and to the satisfaction of the government and the people.

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When I applied for the place not a single application had been received from the State of Mississippi, though there were several from other States. Within a few days past, some applications from Mississippi have been made. I have the honor to be, Respectfully, your obedient servant,

SAM'L GWIN.

This was an affecting, yet modest and manly letter. But Mr. Poindexter, having (from personal pique, and for reasons that will be found hereafter in his correspondence with influential personages in Philadelphia,) determined to break with the administration, made a terrible outcry over the nomination, and conjured up the bugaboo of *states-rights*—a name sacred, recognized and defined by the framers of the Federal Constitution, and in the debates in the several states on the adoption of that instrument; but so frequently prostituted to base purposes; so often dragged, like the body of Hector, by some political Achilles, around the walls of Troy; so often rendered filthy in the mire of faction, it has ceased to be a source of inspiration or respect. In the mouth of a man who was then, and long had been preparing to desert his ancient creed derived from the doctrines of Jefferson, to enter into a coalition, in the interest of a gigantic and menancing monied institution, to intimidate and break down the independence of the Executive department of the government, these words were sacrilege. But Mr. Poindexter rang the changes upon them in the Senate; was supported there by men who regard state rights as a heresy; and in Mississippi by some who had been cowering and hiding in their comfortable homes when young Gwin was exposing his life, in a series of campaigns, on the frontier.

Col. Gwin was by no means unacceptable to the people of Mississippi—much more acceptable than most of those who were applying for the office. He was a man of amiable disposition and polished manners, of commanding presence and superior mind, and soon took a high social position. As an offset to the clamor of Mr. Poindexter, a memorial in his behalf, headed by the Hon. Powhattan Ellis, Gen. Thomas Hinds and Robert J. Walker, signed by every Democratic member of the Legislature, and by one thousand of the most influential citizens, was sent to Washington. A number of distinguished gentlemen of the opposite party, such as George R. and J. S. Yerger, and Fulton Anderson, who had known him from boyhood in Tennessee, bore testimony to his noble character and qualifications.

Mr. Poindexter was baffled, but he now threw aside the mask, put on his war paint, and rushed over to the ranks of the opposition. More vindictive, perhaps, than any other senator, he was the peer of the brightest of them in ability. And he sought every opportunity to assail with all the vigor of his intellect and the venom of his nature, the illustrious man whom he had so warmly vindicated in 1819. His health had improved since his election to the Senate. Still, physically, he was a mere wreck; but this seemed to have no effect on his mental powers and capacity for labor, nor did it moderate his temper. He became a marked man in the Senate, and his speeches were widely disseminated. He was not a man of education. He had little fancy, and no partiality for rhetoric. He never quoted poetry or evinced any acquaintance with literature. There was no refinement in his

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countenance or manner. His voice was powerful, not melodious. He was a profound lawyer rather than a statesman—capable of arguing on both sides of a question, and of making the most of the side he adopted; adroitly covering up all his weak points; concentrating all his efforts on the vulnerable points of his adversary; worrying and tearing and tormenting his victim, even when he had him prostrate at his feet. His style was incisive and peremptory; his manner dogmatic and overbearing. He had a keen appreciation of humor—told a good story—and his sarcasm bit like vipers. He never loved refined society; indulged freely in cards and liquor; was a *habitue* of the race-track, and was seldom without a quarrel on his hands. His personal courage has been doubted, but there is nothing in his history to sustain the doubt. Until he became paralyzed and unable to visit the gaming table and race grounds, he was never twelve months without a personal difficulty on his hands. In most of these, where challenges passed, and no fight occurred, the correspondence shows that he never yielded an inch. He occasionally made explanations, but he was contentious, and a stickler on every point of the established etiquette. Men of his irritable, domineering temper seldom lack personal courage. In several of these affairs, after challenges had passed, influential friends intervened. The late Col. Wm. S. Hamilton, of Wilkinson county, who had been an officer in the United States Army, a man distinguished for his chivalry of character and delicate sense of honor, adjusted affairs of this kind for Poindexter, with Col. Ficklin, Gen. Joor, Maj. White, and Judge Hampton. But finally, while Poindexter was Governor, for some very insulting remarks made in a drinking saloon, on a race-track, and reported to Col. Hamilton, he felt compelled to challenge him. This challenge Poindexter refused, on the ground that he was Chief Magistrate of the State, and if he fought a duel, would not only violate the laws he had sworn to support, but subject himself to impeachment. And one of his friends, a young man, one of his most violent partisans, served on him a written notice that, if he accepted a challenge *he* would demand his impeachment. This incident, at that time, by those who knew the relations of the parties, looked like a contrivance, and the documents that have been examined make it certain. Col. Hamilton insisted that a magistrate who wantonly provoked a difficulty, and inflicted an injury for which there was no remedy at law, was not exempt from the usual personal responsibility, if he refused to apologize for his conduct. And he persisted in his demand. Poindexter refused to apologize or fight, and appealed to Gen. Jackson, on the naked question, whether while Governor, he could properly fight a duel. Of course, the General, though not over-scrupulous in such matters, could only answer in one way.

General Jackson did not know, Colonel Hamilton did not know, but Mr. Poindexter knew very well that, when he held the office of Attorney General, and Robert Williams was Governor of Mississippi Territory, he sent a peremptory challenge to Governor Williams, by the hands of Capt. Wm. F. Voss, an alderman and justice of the peace in the town of Natchez! Governor Williams was a very blunt man, given to a rough manner of talking and writing, and he replied

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that he would neither dirty his hands or his public character with such a man. And in twenty-four hours he deposed Captain Voss from his official pedestal. There was a terrible clamor and outcry against Governor Williams at the time, and the facts were perverted in the newspapers of the day, but he was unquestionably right. Mr. Poindexter had long been his violent enemy and traducer; his tongue was unruly and licentious; and his sending that challenge to the Chief Magistrate, while Attorney-General, should have been followed by his removal from office.

1832–3. By this time Mr. Poindexter, the Senator from Mississippi, had become an extreme member of the opposition, distinguished by the vehemence of his phillipics against the President and his policy, and for his uniform support of every proposition intended to embarrass it.

On the removal of the deposits, the investigation into the affairs of the United States Bank, the appointment of government directors and recharter of the institution, he went as far as the farthest in the interests of the bank; and farther than any other Senator in his ascription of impure motives to the administration, and his personal attacks on the President, and on those most intimately connected with him. This course, so opposite to the opinions he had always professed, and which were distinctly understood by those that elected him to the Senate, was at the time the subject of much animadversion, comment, and conjecture. The following letters, transcribed literally from the originals, published now as a warning to public men, may be construed by each reader for himself:

FROM SAMUEL P. CARSON, M. C. OF NORTH CAROLINA, TO GEORGE POINDEXTER.

PHILADELPHIA, May 7th, 1832.

MY DEAR GOVERNOR: I feel surprised, as well as mortified, that I have not received a letter from yourself, Mangum, Davis, and Daniel. I can't account for it. Mr. B. (Biddle) called on me yesterday, and said that he promised you a statement of the *arrangements, etc.*, which will be evidence in your possession of the nature of the arrangement. I told him I should certainly hear from you yesterday evening, and would call to-day. In this, however, I am disappointed. Do write me immediately on receipt of this, and let me know the result of my application to my friends Mangum, Daniel, and Davis.

From this letter it appears that Messrs. Nicholas Biddle, President of the U. S. Bank, and George Poindexter, Senator from Mississippi, had agreed upon an "arrangement," not yet perfected in all its details, and the inference is obvious that Congressman Carson was in possession of the facts, conversed confidentially with Mr. Biddle on the subject, and was in Philadelphia himself to make an "*arrangement*," if he could get the friends referred to, to back him.

The nature of these "arrangements" will probably be understood after reading the following:

FROM NICHOLAS BIDDLE, PRESIDENT OF THE U. S. BANK, TO SENATOR POINDEXTER.

BANK OF THE UNITED STATES,
Philadelphia, May 15, 1832.

DEAR SIR: I have had the pleasure of receiving your favor of the 13th inst.,

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in which you apprize me of your wish to substitute the name of the Hon. J. S. Johnson for that of Colonel Towson on the bill discounted for you. The necessary instructions have been accordingly given to Mr. Smith, the cashier at Washington.

FROM THE SAME TO THE SAME.

PHILADELPHIA, December 28th, 1832.

I feel much obliged by the interest you are good enough to take in the choice of the bank directors. All that we wish is to have honest and respectable colleagues, and if any others are proposed we *rely on your aid* to exclude them.

FROM THE SAME TO THE SAME.

PHILADELPHIA, December 23d, 1833.

DEAR SIR: You were good enough last year to give me notice of the nomination of government directors and to ask my views of it. Whatever my opinion then was, the conduct of these directors since has satisfied me that they ought to be rejected by the Senate. They have made themselves so completely odious that the other directors will hold no intercourse with them, so that they are entirely useless as members. They have, too, set themselves in opposition to the rest of the board, and if they are confirmed, it will be construed by them as a triumph—a triumph which the kitchen cabinet ought not to be allowed to enjoy. If, therefore, you concur in this view I shall be very happy to hear of their rejection by the Senate.

With great respect, yours, N. BIDDLE.

To Hon. George Poindexter.

These bulletins from the bank brought about the desired result. The President nominated H. D. Gilpin, John T. Sullivan, Peter Wager and Hugh McEldery as government directors—"men," he said, "whose high characters and standing are well known to the community, and eminently qualified for the office to which I propose to appoint them." The first of these gentlemen was an eminent lawyer, afterwards Attorney-General of the United States. The others were among the solid business men, and capitalists of Philadelphia. They were summarily rejected, and with Mr. Poindexter's active assistance.

1833. By this time the bank was moving all its vast machinery, to produce pressure and panic, the failure of traders and the suspension of State banks, in order to extort a re-charter. New Orleans, and the South and West generally, were made to feel the power and resentment of the bank. In New Orleans, at the very commencement of the season, when the products of the West were pouring down the river for export, it called in its loans, refused accommodations and extensions, broke up domestic exchange, ran down the price of produce, and transferred at one time a million and a quarter in specie from New Orleans to Philadelphia, to be used in gambling in foreign exchange.

Mr. Poindexter was apprised of all these criminal movements, and the object was to intimidate the government and compel a re-charter of the bank. December 29th, 1833, his brother-in-law, Mr. Wm. G. Hewes, cashier of the Commercial Bank of New Orleans, an honest, conscientious and sensible man, thus addressed him:

"Ours is one of the deposit banks. We have had to exert ourselves to the utmost to accommodate the public, under the heavy pressure brought about by the unnecessary curtailments of the United States Bank. I really wish it could be permitted to die. Not ten merchants in New Orleans would shed a tear."

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Mr. M. Allen, a large manufacturer at Pittsburg, writes him a panic letter for exhibition, with this significant postscript: "Read the letter extensively, and to our recreant Senator Wilkins, who knows he is misrepresenting his constituents. But don't give my name. *I am a Branch Bank director.*"

February 10th, 1834, the editors of the Washington Globe gave a detailed statement of Mr. Poindexter's transactions with the bank, which was controverted in some particulars, but resulted in establishing the *fact*, shadowed by the foregoing correspondence, that in May, 1832, he drew at twelve months on the Hon. Sam. P. Carson for $10,000, and the bank in Philadelphia gave him the money on it. It appears, likewise, that he drew for the same amount on Colonel E. Towson, who declined accepting, and the name of J. S. Johnson was substituted, and the "arrangement" was made.

These were equivocal relations for a Senator who had recently been elected as an anti-bank, Jackson Democrat. Mr. Clay, proud as he was, and defiant of public opinion, when he came forward as the champion of that bank, felt it due to himself, and to the course he was pursuing, to declare that he was under no pecuniary obligations to it, and asked no favor from it. But the Senator from Mississippi had placed himself in such a position that a branch bank director at Pittsburg, the same Mr. Allen, whom he had never seen, felt authorized to write to him, February 26th, 1834: "Van Burenism must be killed as dead as Jacksonism. Kill them both, sir, dead! *dead!* DEAD! And then we business men and manufacturers can expand. Hold on to the appropriations! Yes, sir, hold on to them! Don't vote a dollar for the government!"

A relative of his own, one Robert W. Poindexter, writes February, 1st, 1834: "I am extensively engaged as a merchant in Pittsburg. The accounts you see of our suffering are not exaggerated. Should our Senator (Judge Wilkins, one of the most eminent men in the United States,) return here, he would certainly be mobbed and probably tarred and feathered."

The following arrogant letter (indicating another "arrangement,") is in the tone of one who feels himself master of the situation:

FROM NICHOLAS BIDDLE TO SENATOR POINDEXTER.

BANK OF THE U. S., Philadelphia, Feb. 22d, 1834.

I duly received your favor, or rather one that I suppose was yours, for you had forgotten to sign it. I infer the writer from the frank, and the contents. In consequence of it I obtained from the proper officer a memorandum, but on examining it to-day, I perceive it will require some little change of form, and I must therefore postpone sending it till Monday.

We are all delighted at the energy with which you and your friends are carrying on the war against those miserable people in power, whom, I think, you can utterly demolish before the session closes.

March 21, 1834. The cashier of the Branch Bank at Washington recommends his nephew, B. P. Smith, for the clerkship of an investigating committee which the Senate had authorized.*

Mr. Poindexter had sold a plantation and negroes to Dunbar and

* One Jacob Bigelow, a notorious claim agent, applied also for this clerkship, which, it was supposed, would afford good pickings. I have no means of ascertaining whether the Bank *protege* or the claim speculator was the lucky man.

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Enos, and held their paper for the same. It appears from the following that he was in the habit of having it cashed by the Bank in Philadelphia, while he was vehemently pleading for it in the Senate:

FROM NICHOLAS BIDDLE TO SENATOR POINDEXTER.

BANK OF THE U. S., Philadelphia, April 30th, 1833.

I received your favor of the 28th inst. On examining the *protest* I observe that the reason assigned by the Notary is that "he went to sundry places in this city and inquired for Messrs. Dunbar and Enos, and was informed that they were not in this city."

It is probable that when these gentlemen return to Natchez they will take this bill up and pay it. It will be better, probably, to wait until we hear farther from them before we do anything here.

The country is under great obligations to you for your prompt and bold movement against the (Jackson) Protest. Rely upon it the Senate is now the popular branch of the Government, and if you maintain your position the people will stand by you. None more steadfastly than myself.

The opposition to President Jackson's indignant protest against Senatorial usurpation of Executive powers, made the *protest* on a bill of exchange a matter of indifference.

1834. This year, while still a member of the Senate, feeling perhaps a premonition of his downfall in Mississippi, Senator Poindexter was casting around for a residence somewhere else. And he was astute enough to "milk old Brindle" again before she went dry. Looking over the whole expanse of the Union, he fixed upon what was known as "the Ward farm" in the vicinity of Louisville, the property of the *United States Bank*. The agent of the Branch Bank informed him he could have it cheap, on one, two, three and four years, no payment for twelve months, and the parent bank would doubtless extend it to five years and make other convenient "arrangements." "The purchase," says the accommodating gentleman, "shall be put on the most favored terms of mortgaged debts as to calls, which are now at the rate of 2½ per cent. every sixty days. *If the Bank is re-chartered satisfactory arrangements are certain.*"

The following letter calls for the rejection of two of the most eminent citizens of Philadelphia, and made the first suggestion of a measure which the opposition immediately adopted—the rejection by the Senate of the nomination of Martin Van Buren who had been appointed Minister to England, and was then in London. This rejection made him President of the United States:

PHILADELPHIA, May 22, 1834.

MY DEAR SIR: I have sent this evening, at the request of a friend, to Mr. Southard, the newspapers containing the attacks on the Senate by Henry Howe and others, which I really think ought to prevent the confirmation of any other signers to so outrageous and intolerant assault on that body. Mr. Vaux is a man not respected and a violent enemy of the Bank, and Mr. McAllister was rejected by the stockholders after serving one year on account of his conduct as a Director not at all connected with politics. I do not think that he should be appointed. Of Mr. Alley and Mr. White we know nothing and care nothing.

I believe myself that the thing which would do more than any other thing to raise the Senate, to alarm the mercenaries, and purify the public sentiment, *is the rejection of the Minister to London.* If I were in the Senate, I would not listen for a moment to such a nomination. If men will desert their state, de-

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sert their constituents, and cling to the Executive, the Senate may well prove that the Executive favor is not a sufficient shield for political subserviency.

With great regard, yours,

N. BIDDLE.

Hon. George Poindexter.

When this letter was written the Bank of the United States was, and for some years, had been, insolvent, and Mr. Biddle's opposition to the directors nominated by the President was to conceal its true condition until a re-charter could be obtained. It had abandoned the legitimate operations of banking, and had become simply a machine to influence public sentiment by pressure and bribery, and to gamble in cotton and in stocks. When President Jackson felt himself bound to withdraw the public funds from its keeping, they were deposited in the soundest banks that could be selected. One of these was the Commercial Bank of New Orleans. The following letter from the President of that Bank shows the action of the United States Bank, and the persistent efforts it made to embarrass the Government, thus creating the business panic and pressure which it hoped to make available for its own ends. Mr. Hewes was the brother-in-law of Mr. Poindexter. He could not doubt the truth of his statement. But being a pensioner of the Bank, he stood up, day after day, in the Senate vindicating it from the charge of interference in politics, and charging all the distress in the country to the Government:

FROM WM. G. HEWES, PRESIDENT COMMERCIAL BANK, NEW ORLEANS, TO SENATOR POINDEXTER, MARCH 21ST, 1834.

"The Bank in Philadelphia is endeavoring to crush us. I state this to you after mature reflection, and with perfect conviction of the truth of my statement. That bank has too much power for the peace and safety of the country. I have no special complaint to make of the Branch here. It serves me as well as it does others. But its last curtailment was made most rapidly and rigorously, and with certain and arbitrary regulations which have provoked indignation even among its partisans. Our Senator Porter could not have defended the Bank had he been apprised of these proceedings. The State banks are doing all they can to relieve the community, but specie on the spot is demanded by the Branch here the moment a balance appears in its favor, and this is immediately transferred to Philadelphia.

"The Deposit Banks, I see, are the subjects of constant assault in the Senate, as though they had a corrupt understanding with and were the instruments of the government. I speak only for the Commercial Bank. Our weekly statement is regularly published. You see our strength. Our specie equals our circulation. We only loan on short paper, very little of which is renewable. The deposits are of some benefit to us. We loan freely on them, and yet could pay, deliver or transfer the whole at any moment. The transfer of the Deposits from the Planter's Bank at Natchez to our Bank was the result of no bargain or understanding, political or otherwise, with the Government. I have never written a letter or received one, except the official notice advising us that the Planter's Bank was directed to place with us, on the 1st May last, $250,000. Since I left Washington in November last I have never received a communication from the Secretary of the Treasury, or from any one connected with the administration, in office or out of office. After the Deposits were removed from the Bank of the United States, and no Bank having been designated in New Orleans, I felt it my duty to put in a claim for the Commercial Bank, on the ground of its having been established for the construction of a great public work, the city being interested with us. I made no profession of Jacksonism.

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No political questions were asked me. I had strong letters to the Secretary; some from distinguished gentlemen opposed to the administration, vouching for our Bank and my own character. Secretary Taney received me with much kindness, and gave us the deposits. We have received and pay them precisely as we receive and pay individual deposits. The contract between us and the Treasury is open to the public."

Thus, by an honest, practical business man, writing in confidence, were all the charges made by Mr. Poindexter refuted, but with this letter in his pocket he to the last moment reiterated his charge of a corrupt understanding between the Treasury and the banks. Under its influence, he voted for the rejection of every man nominated by the President to take care of the interests of the government in the United States Bank; voted for the rejection of Mr. Taney who, as Secretary of the Treasury, had pointed out its malpractices; exculpated it from the charge of creating pressure and interfering in politics; had permitted it to dictate how he should vote on the nomination of a Minister to England, and had so far become his master that he and his colleague, (John Black) both voted, in the interests of Philadelphia, against the establishment of branch mints in New Orleans, North Carolina, and Georgia. Such was the position to which bank influence had reduced the senators of the proud State of Mississippi.

In a brief period this aspiring, colossal and corrupt corporation lay a huge, helpless wreck upon the waters, leaving assets not sufficient to pay its funeral expenses. Its administrators brought suit against its autocratic President, Nicholas Biddle, for $1,018,000 paid out by him, or used by him, and no vouchers on hand to show how it had been used. Its own stock $35,000,000, was entirely lost, and with it $21,000,000 belonging to other companies and institutions. Its marble palace was sold by the sheriff. True bills for fraud and corruption were found by the grand jury against the officers and managers of the bank.

The insolvency and corruption charged against it were sustained in every particular, and now the institution, and the name, "at which the world grew pale," lives only in history—

"To point a moral or adorn a tale."

January 30th, 1835, President Jackson and several members of the Cabinet had gone to the capitol to attend the obsequies of Mr. Warren R. Davis, of South Carolina. Just as the President reached the portico from the rotunda, a young man stepped out of the crowd, advanced within eight feet of the President, pointed a pistol at his breast, and pulled the trigger. The cap exploded—instantaneously he drew another, leveled it and it failed to fire. The cap again exploded. The President rushed at him with his cane, but, before he could strike, Lieutenant Gedney, of the navy, had knocked the man down, and he was secured and locked up. He was named Richard Lawrence—a mechanic, out of employment, who had heard and read all the inflammatory speeches for the bank, attributed all the distress of the country, and his own want of occupation to the President, and his mind had become unhinged. He felt it his duty to rid the country of a tyrant, believed he would be applauded, not punished, and with the cunning of a monomaniac, deliberately planned and then waited for his opportunity. This was the opinion of medical experts, and of the public generally.

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Gen. Jackson always believed that Lawrence had been tampered with, and led astray by some one, and for certain reasons his suspicions pointed towards George Poindexter. Many of the General's friends endeavored to remove this impression, but while declining to investigate the matter, or to give his reasons, he never relinquished his impression. Among Mr. Poindexter's papers are two letters squinting at assassination.

The first is dated August 1st, 1833, written in Mississippi, from a man who was prospecting for a seat in Congress, and writer of a long letter, asking from Mr. Poindexter a loan or an endorsement, to enable him to prosecute his canvass. He promises to signalize himself at Washington, by "caning the members of the Kitchen Cabinet, one after the other, and if necessary using a musket and buck-shot on the Kinderhook Dutchman"—(Mr. Van Buren.) He says "the country is ripe for this sort of redress, and tired of remonstrance. Your friend ———, who attends the courts in seven counties, has talked the matter over with me."

The next letter is dated Washington, Feb. 6th, 1834, from a Capt. Wm. Tharp, who seems to have been an army contractor, and had for some years been attempting to settle some unadjusted accounts. For his failure he throws the blame on the President, although in the body of the letter he inserts the following note, which completely exonerates the President, and shows that he had gone as far as the Executive can lawfully go in such cases:

To Capt. Wm. Tharp:

Your letter of the 30th ult. has been received. I hasten to answer it. The President is willing that you should have every opportunity of justice in the investigation of your claims, and can have no objection to your taking the testimony of Gens. Gibson and Jesup, or any other officer of the army, or in having a copy of any record, in any of the departments of the government, that may relate to your claims.

ANDREW JACKSON.

July 2d, 1829.

The accounting officers failed to adjust matters to Capt. Tharp's satisfaction, and he addressed a long and inflammatory letter to his friend, Mr. Poindexter. "I pray you interpose your authority as Senator to afford me justice and protection, and show to the Senate the abominable and ruinous persecution exercised toward me by a tyrant. If one party has a *carte blanche* to plunder and destroy the citizen, as Cæsar, the citizen has a right to act the part of Brutus, and take summary redress."

Suggestive words!

It is probable, that the known intimacy of Mr. Poindexter with desperate men like these, who were often seen in conference with him, occasioned the suspicion of his complicity in the Lawrence affair.

In 1835 Mr. Poindexter's term expired, and it was known that he meant to canvass the State for re-election. It was obvious that to defeat him, would demand the utmost energy and highest talent. He would have the support of the Whig party, which, as long as it existed, in Mississippi, was formidable, compactly organized, embracing a large

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part of the wealth, talent and moral worth of the State, aiming at a broad national policy, and steadily looking to the illustrious Kentuckian as its leader and exponent. Amidst the wreck of State institutions, they considered a national bank the only reliable regulator of the currency, and as Mr. Poindexter had come over to them on that great question, and had distinguished himself by unusual activity, and was found uniformly voting with Mr. Clay, it was determined to support him to the exclusion of such men as Yerger, Anderson, Prentiss, Sharkey, and others in their ranks, who coveted the honor. It is due to this great and high-toned party to explain that they had not seen, and had no suspicion of the evidence which has been here published for the first time, that Senator Poindexter had become a pensioner of, and received his instructions on matters of public policy, from the bank. There were vague rumors of transactions, but these were attributed to the violence of party, and rather raised their sympathies in his favor. In addition to the formidable masses of the Whigs, he was supported by the Nullifiers, or state-rights men, who claimed him as one of themselves. It is true, on almost every question in the Senate, he had voted with the most extreme men of the North, even on questions vital to the South, but so had other Southern leaders. There was, at that time, as the journals will show, little or no perceptible difference in Congress between a Southern Nullifier and a Northern Federalist, and so in Mississippi, there was a close coalition between the Clay Whigs and the Calhoun Nullifiers in support of Mr. Poindexter, and for other objects.

Gen. Thomas Hinds, a man of good sense, but of limited education and ability, was anxious to be the candidate. He had a large and influential connection by marriage—was an affluent planter—had been delegate to Congress—had served a campaign against the Indians—had the rough manner and bronzed aspect of the soldier—and was still bright with the varnish of the battle of New Orleans. But it was clear that he would be a mere pigmy in the grip of such a wrestler as Poindexter.

The late George Adams, then United States District Judge for Mississippi, and Wm. M. Gwin, United States Marshal, in a conversation on the subject of Parker's Hotel,* Natchez, agreed that Robert J. Walker would be the most available man, and almost the only man in the Democratic ranks who could meet Poindexter in debate. Walker was a Pennsylvanian, and claimed to have been the first man in the United States that nominated Jackson for the Presidency. He had arrived in Natchez, without a dollar, but by dint of great abilities and energy, and the support of citizens from Pennsylvania, then rich, numerous and influential, he had obtained a very lucrative practice, and stood at the head of the bar.†

The only objection to him was—first, he was but little known to the people, and secondly, that on the removal of the deposits from the

* Destroyed by the tornado.

† Col. James C. Wilkins, President Planter's Bank, Dr. Stephen Duncan, President Bank of Mississippi, the Gustines, Minors, Davis, Stockmans, etc., all from Pennsylvania, controlling vast capital and influence, were patrons of Mr. Walker.

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Bank of the United States, he had grown weak in the knees, and crept over to the camp of the enemy. This, however, under the delirium of the panic, many others had done. Mr. Walker had repented of his momentary weakness, and was anxious to be forgiven, and go as far as the farthest in defence of "the greatest and best." The two gentlemen summoned him to their conference, and he wept like a child over the blunder he had committed, and said "the party" would never pardon him. A little soothing syrup was administered, and he agreed to encounter Poindexter, provided a letter of endorsement from General Jackson could be obtained. He feared that he had committed the unpardonable sin, and he trembled under the dread of a sentence of excommunication from the political pontiff. Dr. Gwin undertook to manage this matter, and the next point was to get Gen. Hinds out of the way. Next morning Judge Adams set out for Jefferson county. How he contrived it is a secret he never disclosed. Hinds was characteristically head-strong and stubborn, but the negotiator came back authorized to announce that he would support Walker.*

These two gentlemen managed the whole matter. Dr. Gwin speedily obtained a satisfactory letter from General Jackson, long known, and often produced as the "original letter," which carried with it the authority of a verdict, and wherever it was seen, or read, or heard of, the faithful ceased to grumble and shouted for Walker. The Democratic party was at a low ebb, at that juncture in Mississippi.†

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*Gen. Hinds never forgave this interference, and often referred to it as a "conspiracy." In 1840, on his return from New Orleans, General Jackson and suite stopped at Vicksburg, the guests of Dr. Gwin, who on that occasion entertained a vast crowd of people. General Hinds was present, got very tight, and began to talk loudly to General Jackson, about the "conspiracy." The old chief stopped him at once, put his hand on his shoulder and said, "Hinds, it is time you should go to bed," which he immediately did.

†In 1834 it had so dwarfed in the city of Natchez, by desertions on the bank question, that it could not recruit members enough to make a demonstration in support of the President. The United States District Court being in session, and the jury having been drawn from Jefferson, it was considered a good time to make a showing. But a Whig gentlemen of that day, Mr. Charles E. Wilkins, member of the bar, shall tell the story. Writing to Poindexter, March 5th, he says: "A high-handed piece of knavery was attempted to to be played off here a few days since by our handful of collar men. Finding the city full of Jefferson county men, jurymen, and others in attendance on the Court, they improvised an anti-bank meeting in the Court House. At this stage the alarm was rung, and our citizens came rushing into the Court House by hundreds. At that moment J. F. H. Claiborne moved that Gen. Hinds take the chair. 'Never, by G—d,' shouted Felix Huston, and 'No!' 'No!' No!' was the response from three hundred freemen. Claiborne cried out, 'the *ayes* have it,' and took Gen. Hinds by the arm and escorted him to the bench. He rose to speak, but at that moment a fight commenced. I don't know, and nobody knows how, but S. M. Grayson knocked old Joe Dunbar down, and McNeill knocked Claiborne down, and General Hinds was hustled out of the chair. A call was then made for all in favor of the bank, and against the administration to retire behind the bar. Only ten remained inside. Claiborne addressing these ten, said: 'We are not allowed to use this Court House. I give notice that we will assemble to-morrow, at 12 M., at John Holden's Tavern, at the race track. I will rent the room, and we will have the right to defend it.' Only one bank man attended that meeting, your friend, Dempsy P. Jackson. He was drinking a little, and swore he would enter. Claiborne leveled a double-barrel gun at him—said he would kill him if he advanced one step. Jackson attempted to draw a pistol, but was pulled back by Holden and others.

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The United States Bank, and its branch at Natchez, had compelled all the banks in the State to pursue the same policy of pressure and curtailment. The abandonment of the administration was the condition precedent to the slightest indulgence or accommodation to merchant or planter. An absolute reign of terror prevailed, and apostasy at home found its example in apostacy in high places. George Poindexter and John Black, Senators, and Harry Cage, all elected as the special friends of General Jackson, and as anti-bank men, had gone over to the other side. Franklin E. Plummer, our other representative, was vacillating. Col. James C. Wilkins, the most influential Democrat in the river counties, and the Hon. Charles Lynch, who held the same rank in the East, had publicly abandoned the administration, carrying with them a host of followers. Lynch was a man of large estate, quiet, discreet, a skillful manipulator, and was looked on as "a power in the State." Col. Wilkins had long been an acknowledged party leader. He was a great cotton factor. Very many citizens owed their fortunes to him. Thousands were indebted to him, and still more had to apply to him, or expected to apply, for pecuniary assistance. He and his connections controlled, virtually, the whole banking capital of the State, and at that era of expansion and speculation, this was a prodigious power, especially when exerted by men of ability and of high social position.

Mr. Poindexter returned from the Senate with a plethoric purse, and the reputation of a Roman gladiator capable of crushing any opponent by a single blow. He affected a State Rights feeling in his opposition that sharpened the sword he wielded, and rallied around him many who admired General Jackson, but apprehended that he was indifferent to constitutional restraints. Senator Black had been elected from the Bench as a thorough and reliable Jackson man. He had a reputation for solidity and sincerity, and his secession gave color to these apprehensions. Judge Cage, in his canvass for Congress, had claimed to be the special pet or *protege* of General Jackson, whined about him like a child, and doted on him as a father. His desertion, it was argued, must have been occasioned by frightful discoveries. Mr. Plummer had been for several years a leading member of the Legislature. He had been elected to Congress as the representative of Jacksonism, from the eastern or pine-woods section of the State, then occupied by small farmers, untainted by banks and uncorrupted by wealth or the desire for it—a population as primitive and as pure as was to be found in the civilized world. Yet this man—the representative of such a people—seeing the surging tide, the union of powerful leaders, the conspiracy of the banks, the clamor of the press, the unanimity and fury of the cities and towns, against the old hero, abandoned his cause as hopeless, and swam with the tide. He was the most adroit tactician in the State—as a cross-road and stump orator

There was not more than twenty in the crowd, but they passed a set of inflammatory resolutions."

This affair produced general excitement, and a call for a Democratic State Convention. It assembled in Jackson in a short time, and Mr. J. F. H. Claiborne, then in his twenty-third year, was nominated for Congress from the State at Large, without opposition.

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unequalled—as a bush-whacker and log-cabin electioneerer unrivalled. Those who only knew him in his decadence as a defunct politician and a ruined man, can have no conception of his talents, and of the influence he exerted. At this juncture, too, the administration of Jackson was drawing to its end. The iron will that swayed the million; the firmness that defied intimidation; the inborn, incisive sagacity that detected the most covert scheme to ensnare or delude—the popularity that enabled him to realize the boast of Pompey and raise up legions in his support—all these were soon, under the forms of the constitution, to vanish with this great man to the shades of the Hermitage. Martin Van Buren, of New York, had been designated as the Democratic candidate, and though a man of great ability, with the highest qualifications, he had no local popularity in the South, and was assailed, as General Cass, Mr. Pierce and Mr. Buchanan were afterwards, as an abolitionist.

In this era of apostasy the opposition had found an opponent for Mr. Van Buren in the Hon. Hugh L. White, Senator from Tennessee, who during a long course of public service, had justly earned the title of the Cato of the West. He had been the life-time personal friend, associate, colleague and adviser of General Jackson. He had for years been the intimate friend of Mr. Van Buren, and they had almost uniformly voted together. Yet suddenly, and to the surprise of the whole country, he became the recognized candidate of the opposition.*

With some reluctance the Democracy accepted Mr. Walker. It was not easy for those who had seen their printing offices assaulted, and their public meetings dispersed by violence and bloodshed, to accept as their leader, in the impending struggle, one who had gone to the enemy on the field of battle, and had witnessed these outrages in the community in which he resided, without any overt sign of disapprobation. But the "original letter" salved all this over, and it was acknowledged that there was no other man so able to encounter the redoubtable Poindexter. It was deemed prudent that Mr. Walker should leave Natchez, and indentify himself with the East. He, or his friend, Dr. Wm. M. Gwin (then the chief manager of the party) for him, purchased a large plantation on Pearl river, above Jackson, and

* Mr. Benton, who had been his close personal and political friend, for half a century, and cherished to the last a high appreciation of his integrity, in his thirty years in the Senate, ascribes his delusion, on this occasion, to his wife. In extreme old age he had married a buxom widow, proprietor of a cheap boarding house, where he had long been a boarder at East Tennessee prices. It was a monstrous stride from that position to the head of a rich Senator's table, and the ambitious lady was readily persuaded that she might become Mistress of the White House. The coterie that hung about Senator White were not Whigs, not Democrats, not State-Rights men, but a conglomeration of the three. They had originally been elected as Jackson men, but usually voted with his enemies, and though a mere corporal's guard, they aspired to the dignity of a *juste milieu*. These eccentric gentlemen operated on the good old Senator through his wife, and in violation of all party discipline, and of the precepts and teachings of his whole life, he permitted himself to be a candicate after Mr. Van Buren had been regularly nominated. The Whig party in the South concentrated upon him, and his high character, and the suspicion of Mr. Van Buren's soundness on the slavery question, drew many Jackson men to his support. This was, particularly, the case in Mississippi. His nomination was the chief obstacle the Democratic candidates in Mississippi encountered.

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he removed there into a log cabin, and from that central point issued his address to the people. The Union Democratic ticket was: For Senator, Robert J. Walker; for Governor, Hiram G. Runnels; for Congress, J. F. H. Claiborne, B. W. Edwards; for Secretary of State, B. W. Benson; for Auditor, J. H. Mallory; for Treasurer, Upton Miller.

The White-Whig State-Rights ticket: Senator, George Poindexter; Governor, Charles Lynch; Congress, David Dickson and J. C. Wilkins; Secretary of State, Silas Brown; Auditor, John P. Gilbert; Treasurer, C. C. Mayson. The Van Buren Electoral Ticket was elected.

The State was canvassed from one end to the other. Mr. Poindexter delivered numerous elaborate addresses, and would have made a better impression, but for his extreme virulence against General Jackson and Mr. Van Buren. Like Paganini, who achieved some of his musical miracles on one string, he harped only on this theme, and slurred over great issues to indulge in malignant personal invective. The spectacle of his own political carcass, tomahawked, scalped, stripped of flesh and muscles, and gibbetted for public derision, seemed to have determined him to flay others in the same style, and he thoroughly dissected these distinguished men.

This gave Mr. Walker his opportunity. While vindicating them against the charges of Poindexter, he spoke with respect and veneration of Judge White. All the candidates on the Democratic ticket pursued this policy. The candidates on the other side, with one exception, were extreme men. The exception was General Dickson. He was an early immigrant from Georgia—an eminent physician who practised extensively, and rarely ever collected a bill—had lived in and represented five different counties—had an extensive and influential connection—a man of imposing presence—full of information—a good talker and a humorist. He made no speeches and would not squabble about politics. He received the entire strength of the combination, and many votes from old Democratic friends.

The result of this exciting canvas was: For Governor, Lynch 9,867, Runnels 9,441; for Congress, Dickson 9,823, Wilkins 7,831, Claiborne 9,781, Edwards 8,297; for Secretary of State, Benson 7,960, Brown 7,605; Auditor, Mallory 10,813, Gilbert 6,214; Treasurer, Mason 6,821, Miller 6,588. And an anti-Poindexter majority of members of the Legislature.

This was the *coup de grace* from which he never recovered.

In November, 1836, he was boarding at the Mansion House, Natchez, and passed his nights for the most part at the gambling table. One night after he had lost heavily, and was somewhat fuddled, he set out for his room, and opening a door, which he supposed opened on a gallery, he was precipitated some twenty feet to the brick banquette below, breaking the bone of his right leg in two places, dislocating both ankles, fracturing the left leg above the knee, and receiving severe contusions in various parts.

Such an accident would have killed most persons of his years, but in a few months he was on his crutches.

The day after it happened, a reverend gentleman called to tender

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religious consolations, and seeing him so badly crushed, said, "Governor, what did you fall against?"

"By G——d, sir, I fell against my will!"

Twenty days after this dreadful accident, in reply to some commentaries that had been made, he dictated a long article overflowing, in every line, will gall and venom.

The last years of his life were chiefly spent at the card table, and with bar-room companions, sneering at his former friends, and inciting the sectional hatreds which, in a few years, produced such bitter fruits. His mind was well preserved, and his latest newspaper articles exhibit the ancient style and vigor. His countenance had assumed a harsh, suspicious and cynical expression, and his heart, could it have been revealed, was doubtless a whited sepulchre of dead men's bones. He had contracted the habit of looking frequently over his left shoulder, as though he heard unexpected and unwelcome footsteps. Were these spectres of a guilty conscience? The vision of an innocent wife, blighted in her youth and beauty, by his shameful suspicions; of a son driven from his household, to live the life of a vagabond, and die the death of a pauper--of bloody feuds—of friendships severed—of faith and covenants sacrificed for gold—all these doubtless came like chiding ghosts, to embitter and disturb his last days. Neither the rattle of dice, the lucky run of cards, nor the jests and gibes of low associates, brought a smile to his lips. His licentious eye, glazed and frozen, knew not the luxury of a tear. In the largest crowds, amidst ribaldry and revelry, he felt the solitude and the torments of Prometheus—chained to the rock of his own remorse!

Mr. Poindexter died in Jackson, September 5th, 1855.

NOTE—Some time after the death of Mr. Poindexter, I applied by letter to his representative for his papers, with the view of writing his biography, but a gentleman living in Jackson, who had been for the last twelve months very much with him, and proposed to write his memoirs, was preferred. During the war this gentleman came to my residence at Bay St. Louis, and informed me that he was going to Europe, and offered me the papers for $300 in gold. The terms were accepted. There are very many of these letters and other papers, referring to all his personal quarrels, and dealing very freely with the frailties of his contemporaries, during the whole of his public career.

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CHAPTER XXXI.

ROBERT J. WALKER—FRANKLIN E. PLUMMER—WM. M. GWIN—JACOB THOMPSON.

ROBERT J. WALKER was a native of Pennsylvania, and practiced law there a number of years with some reputation, but little profit. He arrived at Natchez very poor, but found there a rich colony of Pennsylvanians, more or less related to him, who controlled a large capital, and with their aid he soon stepped into an extensive practice. He was a mere whiffet of a man, stooping and diminutive, with a wheezy voice and expressionless face, but like the French Minister Louvois, and our Amos Kendall, he concealed under this insignificant exterior a vaulting ambition, seconded by great abilities and consummate cunning. General Jackson was in the Presidential chair, and, of course, his bold and aggressive policy provoked opposition, and party spirit everywhere ran high. Mr. Walker claimed that, at a public meeting in Pittsburg, he made the first nomination of Jackson for the presidency, and at Natchez he was immediately recognized as one of his leading partisans. In the meanwhile his practice becoming lucrative, and having access to the banks, through his wealthy connections, he embarked in speculation; purchased large bodies of wild lands (much of it of spurious title*) and sugar and cotton plantations and slaves, running up a debt of several hundred thousand dollars. Everything, however, went on swimmingly, until the President issued his famous order for the removal of the deposits, which brought about a sudden collapse of the credit system, and of those who operated upon fictitious values. Mr. Walker went down with his brother speculators, and it is painful to record that his political principles were wrecked at the same time. He suddenly became a croaker; canted about executive usurpation, and affiliated with the enemies of the administration. He wrote a letter to Hon. John Black, one of the Mississippi Senators, who had gone over to the bank party, approving his course. This enabled him to retain for a few years longer, his extensive plantations and negroes. He contrived to borrow from the Planters' Bank, at Natchez, a large por-

*The famous Bowie claims, for example, many of which the late Judge Isaac T. Preston, of Louisiana, Special Agent of the United States, reported as forgeries.

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tion of the sinking fund, which had been expressly set apart to pay the bonds issued by the State, then held in London. And when the money was wanted for that purpose, he refused to pay except in treasury warrants, worth less than fifty cents on the dollar! It resulted in his evasion of the debt, though no man said more, or could speak more eloquently, of the inviolability of contracts; and in Amsterdam and London, where many of our State securities were held, and this sinking fund transaction was unknown, he was often quoted as the champion of public faith!

It was at this juncture, when our Senators, Poindexter and Black, had gone over to the bank, and the former had announced his intention to canvass and revolutionize the State, that, as has been stated in the preceding chapter, Judge Adams and Wm. M. Gwin, casting about for a man for the crisis, fixed on Robert J. Walker as the man most capable of meeting George Poindexter. Adams had a personal aversion to Poindexter; Gwin had, naturally, never forgiven his ungenerous course towards his brother; and by the promise of a letter of amnesty and recommendation from General Jackson, they obtained Walker's consent. General Hinds desired to succeed Poindexter, but they persuaded him to endorse Walker.* In due course of mail arrived the letter signed Andrew Jackson, really written by Gwin, and copied by Andrew J. Donelson, the President's private secretary, a shallow, self-important personage, who was in his native element when engaged in petty intrigue. Armed with this document, Walker went to our seat of government, still doubtful and irresolute, where he fell into the hands of Gen. H. S. Foote, a bold and fearless man, who soon inspired him with his own courage. It was agreed that they should canvass the State together, for Senator and Chancellor; and Foote, to prevent all backing out, immediately announced him for a speech at Raymond. Walker invariably wrote his speeches, but once written he never referred to the manuscript. His speech at Raymond was masterly, and at once concentrated the party upon him. He evaded all collateral issues, and confined himself to the questions between General Jackson and Poindexter, dealing in fierce invectives against the bank, though he had only recently whined over it as Sterne whined over his dead jackass! Whenever he was hard-pressed, as he often was, by some Whig orator, Foote made a flank attack on the enemy, and thus enabled Walker to retain his position, or retreat in good order. Poindexter made a few powerful arguments, blended with ferocious denunciation of General Jackson and his advisers; but he was physically incapable of following his adversaries over the State. Franklin E. Plummer likewise took a part in the contest, was an independent candidate for the Senate, but really in the bank and Poindexter interest. The banks furnished him with $25,000, and under his famous war-cry, "Plummer for the people, and the people for Plummer," he took the field, and was then, and at all times, a troublesome customer. He was the master spirit of the canvass in the opposition interest, but directed his efforts mainly against Governor Runnels, who headed the Democratic ticket, and in this he suc-

* General Hinds never forgave Messrs. Adams and Gwin for this manœuvre.

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ceeded. William M. Gwin was then United States Marshal, with a large income, and exerting great political influence—a man of high personal character, of an intrepid and manly spirit, of strong intellect, deeply versed in human character, and with a wonderful faculty for organization. He directed the senatorial canvass, and supplied the means. Walker made the attack, and Foote, the Murat of the field, promptly charged whenever there was the slightest wavering in the ranks. Walker exhibited great ability and versatility, extraordinary bottom for one of his insignificant make-up; a marvellous genius for traps, ambushes and masquerades; was lavish in his expressions of devotion to the South and her institutions, and had a fountain of tears always at his command. He represented Poindexter as having traitorously allied himself with the great monied power of the North, which had already ruined the South financially, and would next turn its batteries against our domestic institutions. Never, until this canvass, had a sectional complexion been given to our political discussions. Mr. Walker, a *Pennsylvanian*, first introduced this mischievous element, against the remonstrances of his Southern coadjutors, Foote and Gwin; but he persisted, and used it effectually, to alarm his hearers, a large majority of whom were planters and slave-holders. To him more than to any other man, do we owe this crop of dragon's teeth, which, in after years, sprung up into armed legions, and ended in fratricidal war.

It will be seen hereafter, that he adhered to this mischievous line of policy after his election to the Senate.

This great canvass resulted in the return of a majority of anti-Poindexter members of the Legislature, and in due time Mr. Walker was elected a Senator of the United States.*

At this period Mr. Walker had become exceedingly poor; the estates he purchased had been badly managed and never paid for; the money borrowed from the banks had been expended, and was still due, or the liability had been evaded by professional ingenuity. He borrowed the money to get to Washington, and was undoubtedly the poorest member of the Senate. He was badgered at his house and in the lobbies by creditors, and his *per diem* was often hypothecated before it became due. His office exempted him from arrest, but some of these men took their seats in his hall, and refused to leave until he gave them an order on the Sergeat-at-Arms. Nevertheless, with unruffled exterior, he plunged into the tumult of politics. The leading question was the annexation of Texas, then a maiden republic, freshly garlanded with the glory of San Jacinto, coquetting with France and

* In this canvass was first introduced the practice of sending political runners over the State—*avant couriers* to make appointments, circulate documents, and make cross-road and bar-room speeches. Walker invented the plan; the State was mapped out, and each runner had his particular district. The most noted of these was Major Isaac McFarren, now of California, a gentleman claiming to have received a diploma at Albany during the days of the regency, and competing with the famous Dr. Puckett, of Brandon, for the title of the Talleyrand of Mississippi. To Major McFarren was assigned the southeastern or pine-woods counties. His adventures would fill a volume, and will probably be published with the proper illustrations. His reply when challenged for his opinion on the bond question and his "right hand of fellowship story," have become historical.

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England, but preferring to be the bride of the Great Republic. This great issue was dividing and reorganizing parties, and to this day its consequences are recognized and felt. That the new Senator from Mississippi took a prominent part is only saying half enough. He became the champion of the movement; was constantly consulted by the Texas envoys, Messrs. Wharton and Hunt, and greatly distinguished himself as an orator and tactician.

He voted steadily with the Democratic party, and took a leading part in the debates on the Independent Treasury, the graduation of the public lands, and the preemption system, the three great conservative and national measures of that day.

With bad taste, and from motives not creditable, soon after he took his seat he provoked a controversy with Mr. Clay, a man venerable with years, and illustrious for his public services. But he achieved the wished for notoriety, and the cross-roads politicians at home regarded him as the ale-house audience regarded Goldsmith's schoolmaster while disputing with the parson:

> —"And still the wonder grew,
> That one small head could carry all he knew."

In 1836 the slavery agitation—that poisoned shirt of Nessus which tormented us for so many years—assumed an alarming aspect, and was mischievously employed, for political purposes, by Northern fanatics and Southern extremists. There was a large majority in Congress, representing all parties and sections, who, though differing more or less on the subject, were disposed to let it rest; but the incendiary press in the free States, the Charleston Mercury, the Crisis, at Washington, and a few other papers in the South, insisted on agitation. Up to this period there was a solid majority against interfering with slavery in the States, but that majority was broken by the denial by Mr. Calhoun of the right of petition. On the presentation of one for abolishing slavery in the District of Columbia, instead of adhering to the established usage of receiving and laying it on the table without reading or discussion, Mr. Calhoun moved instantly to refuse to receive it. His motion was rejected by 35 to 10, nearly every Democrat voting with the majority. Mr. Walker, a *Pennsylvanian*, voted in the minority, being too ultra a pro-slavery man to vote with Clay, Benton, Crittendon, Grundy, Kent, King, of Alabama, King, of Georgia, Linn, Goldsborough, and other Southern Senators, and with such conservative men as Webster, Buchanan, Clayton, Ewing, Hendricks, Southard, Wright, Wall, and others, who constituted the majority, and were for suppressing agitation. In the House of Representatives, about the same time, Henry L. Pinckney, of South Carolina, representative from the Charleston District, a man of distinguished character and illustrious lineage, proposed that all petitions, on the subject of abolishing slavery in the District of Columbia be received and referred to a select committee, with *instructions* to report "that Congress has no constitutional authority to interfere with slavery in this District, because it would be a violation of the public faith, unwise, impolitic and dangerous to the Union. Assigning such

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reasons as may be best calculated to enlighten the public mind, to allay excitement, to repress agitation, to secure and maintain the just rights of the slave-holding States, and of the people of the District, and to restore harmony and tranquility among the various sections of this Union."

The question was divided. On the first proposition to refer all the memorials to a select committee with instructions, the vote was 174 to 48. On the second, "that Congress has no constitutional authority to interfere with slavery in the States," the vote was 201 to 7. On the third, "that Congress ought not to interfere with slavery in the District," the vote was 163 to 47.

The committee soon made an exhaustive and very able report in conformity with these resolutions, winding up with the recommendation, "that, in future, all petitions, resolutions or propositions relating to slavery, or the abolition of slavery, shall, without being printed, or referred, be laid on the table, and that no further action shall be had thereon." Adopted by 117 to 68.

The eleven slave-holding States were represented, at that period, by about one hundred members, and nine-tenths of these voted for the Pinckney resolutions. But a measure projected by a Pinckney, representing three generations of slave-holders, and supported by most of the representatives of the great slave-holding districts, was not acceptable to the *Pennsylvania* statesman representing Mississippi in the Senate. He affected to consider it a surrender of Southern rights, assailed the North in fierce invectives, and greatly contributed to array one section of the Union against the other. This was a mischievous policy, and sorely have we felt its consequences. Mr. Calhoun had, at that time, in Mississippi, a strong following. Most of his friends had opposed the election of Walker. And, as he was a politic man, who usually counted the effect of measures upon himself, it is likely he affected ultraism, to conciliate Mr. Calhoun, and his friends. Some of the Southern representatives, natives of the South, and large slave-holders, who voted for the Pinckney resolutions, and the right of petition, were denounced as abolitionists, while the *Pennsylvanian* was applauded by the multitude in Mississippi, as the most othodox of statesmen.

On all the other great measures that followed, he displayed industry, talent of a high order, and consummate tact. On the death of President Harrison—as pure a man as ever reached that station—Mr. Walker soon obtained the ear of President Tyler, who was a man easily flattered. Mr. Wise and his corporal's guard, the whole strength that Mr. Tyler could then command, were soon reinforced by Walker, the most adroit manipulator then in public life. Mr. Tyler had been an opponent of the bank on constitutional grounds; he had afterwards consented to run for Vice-President on the nomination of a party pledged to recharter the bank. In his first message, after the death of Harrison, he used language which was construed as favorable to a recharter. But he subsequently vetoed the bill, which had passed by a large majority, and squarely resumed his original opinions. Mr. Walker was often closeted with him during this period of incuba-

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tion. He stimulated, if he did not inspire the veto, that astounded and paralyzed the Whig party. He was apprized of it weeks before it appeared, and so informed, confidentially, the writer of these annals. He whispered in Mr. Tyler's ear the dream of the Presidency, and his organs in Mississippi were instructed to play, and did play that tune. Mr. Tyler yielded to the tempter, and returned to his first love. This administration was fruitful of important events, and was quite as democratic as though it had been elected by party machinery. The great Whig party, brilliant with statesmen and orators, had been completely jockeyed. No wonder they denounced Tyler; but had they been in the secret, Walker would have been the chief subject of denunciation. He was the Delilah that sheared the locks of Samson. Silent, subtle, capable of the deepest plots and most intricate complications, he whispered Democracy and the Presidency into the ear of Mr. Tyler, while he was playing for the glittering prize himself. Expert as Senator Walker was in this line, and thoroughly unscrupulous when he had an object to accomplish, he nevertheless had a master. Not his equal as a scholar or an orator; not versed, like him, in the learning and strategy of the law; but equally astute, far more practical and resolute; blending a rare combination of sagacity, energy and firmness, with courage equal to any emergency; a man trained in the best political school, long in close communion with the great statesmen of the Democratic party, who had then, and has since, taken part in many important movements, and is intimately acquainted with the secrets of parties, and the motive-power of great results. William M. Gwin, late Senator from California, is the person referred to. To avenge the injustice done by Poindexter to a noble brother, he had caused the election of Walker to the Senate, and he was his constant adviser and prompter in that body. Mr. Walker was an impulsive and spirited man; but was versatile and unstable, and required some stronger and more inflexible nature to lean upon. He found that support in Gwin, and became, in fact, his puppet—an automaton moved by a stronger will, and so continued until Walker retired from the Treasury Department where he had been put, mainly, by the instrumentality of others, and not by the desire of President Polk, who feared his intrigues, and was jealous of his abilities.

With the acquisition of Texas, Oregon, New Mexico and California, and the great question springing therefrom, Mr. Walker's name and fame are inseparably connected. He displayed in the discussions very marked ability, and pressed them with untiring energy. Unfortunately he could not resist his propensity for speculation in lands and mines, and this cast a doubt over his motives.

Mr. Walker had been elected to the Senate as a Van Buren man by the Jackson-Van Buren party of Mississippi. He had defended him at all points and extolled him to the skies. But he was among the first to abandon him, and took an early and a leading part in the intrigue that placed James K. Polk in the Presidency. Indeed, that event may be attributed more to him than to any one else. Mr. Van Buren, like Mr. Clay, was opposed to the acquisition of foreign territory. Both predicted the consequences that have occurred.

Either could have reached the chief magistracy by surrendering

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honest convictions to the popular clamor for annexation, but they had rather be right than to be President. Mr. Walker, more politic and less conscientious, issued his celebrated letter in favor of annexation that gave him for awhile a great reputation, and an enthusiastic following. Having engrafted the two-thirds rule in the Democratic Convention, and thus secured the nomination of James K. Polk, a comparatively unknown man, over Mr. Van Buren, it followed that he should be invited into the Cabinet. Mr. Polk desired to make George Bancroft Secretary of the Treasury, and Walker Attorney-General, and he adhered to this slate, with characteristic obstinacy, until Walker was induced to refuse the Attorney-Generalship, and there was likely to be serious complications. Mr. Walker even then had "Presidency on the brain," and he was ambitious of the Treasury from the vast patronage it carried with it.

The veteran intriguer, Simon Cameron of Pennsylvania, (then a leading Democrat,) with Wm. M. Gwin, A. G. Brown, and Col. J. D. Stevenson,* for his lieutenants, soon brought about a new combination by which Bancroft was made Secretary of the Navy, and Walker placed at the head of the Treasury.†

He filled the position with great ability. He supplied the means for carrying on the war with Mexico, and his reports, strongly flavored with free trade opinions, were quoted and applauded by the anti-protectionists in the British parliament, and in some instances, re-printed. His official labors were protracted and intense. When engaged in writing and compiling his reports, he seldom went to his house, but took a scanty meal in his office and sat up until two or three o'clock, A. M., surrounded by Bureau officers, clerks and stenographers. He filled all the offices in his gift, from the highest to the lowest, with his own creatures, and with the view to the increase of his patronage and power, he insisted in the Cabinet on the retention of all Mexico, as fast as it was conquered, as an appanage of the republic. In this, as in most of his ambitious *projects*, he found an opponent and a rival in that trained and wiley old politician, Wm. L. Marcy. They were in constant antagonism, the other members of the Cabinet being, in those discussions, mere negatives. The President, constitutionally timid, was afraid of Walker's eccentricities, and was constantly bullied by Marcy. Had the old New Yorker been out of the way, Walker would

*Commanded the first regiment sent to California.

†Mr. Bancroft's nomination, for some reason, hung fire in the Senate. The President had become exceedingly nervous. At that juncture the writer called on him, and suggested an interview between the President and the Hon. Henry Johnson, Senator from Louisiana. Mr. Johnson was a Whig, a warm friend of Mr. Clay, but was inclined to favor annexation. I informed the President that the then Naval Officer of New Orleans, the late Martin Duralde, (son-in-law of Mr. Clay,) a man of high character, was the particular friend of Senator Johnson, and that he would consder his re-appointment a special personal favor. The interview took place next day—sentiments liberal on both sides were exchanged—the *one* vote wanted to confirm Mr. Bancroft was given—Mr. Johnson likewise voted with the Administration on the Texas question.

When leaving the President, his last words were: "Gentlemen, write to your friend to have no anxiety—he shall be continued and re-nominated." But as soon as the favorite measures had been carried, Mr. Duralde was, without notice or charges, *summarily dismissed!* He was the only relation of Mr. Clay in office, and it would have been a graceful act of homage to that great man to retain him.

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have carried his points, up-tripped Polk, and secured the succession.

The rivalries caused the nomination of Franklin Pierce, a man of noble attributes, but never thought of until his name was sprung upon the Convention. Mr. Walker expected high position under the new Administration, but there were controlling elements about it not favorable to his ambitious schemes, and he resumed his profession in the Supreme Court at Washington. If ambition for the Presidency had governed his appointments while Secretary of the Treasury, it must be recorded to his honor that he came out of it a poor man. He had gone to Washington first in 1837, greatly embarrassed by his own debts and by endorsements. In one single instance he was endorser to the amount of $150,000. As a lawyer however, he was unrivalled for his skill in finding his way out of these liabilities, and it was often his boast that he had never paid a dollar of them.

When Mr. Buchanan was casting about for his Cabinet, he was warmly urged to make Mr. Walker Secretary of State. A circular went the round of the Senate just as we recommend a postmaster, but Mr. Buchanan was a cautious, circumspect man, and was afraid to trust his impulsive friend, who would, in all probability, have sought a foreign war to silence our domestic embroilments. He gave the portfolio to General Cass, who to constitutional timidity added the infirmity of age, but still dreamed of the Presidency, and saw in this new position an easy road to it. Little did any of them heed the subterranean fires then burning, soon to break out in violent eruption. Mr. Buchanan proposed to send Mr. Walker as Governor to Kansas, a place at that time full of peril and responsibility, not at all desirable to an aspiring politician; and he had the address to persuade him that with his popularity and eminent talents he could settle the controversy, restore harmony and peace, make himself the benefactor of his country, and be called by acclamation as his successor. Mr. Walker grasped at the vision, and though his best friends advised, and his most excellent wife implored him not to accept, he yielded to the temptation, and made a failure. He was by no means the man for the position. Though a man of great talent and personally brave, he lacked stability, and firmness of purpose. He required a stronger man to lean upon, some man of sagacity and indomitable will. His course was vascillating and unsatisfactory to the Government, and to the people. He ceased to be a conservative and identified himself with the Radical mob. He was denounced at the North by conservative men, and in the South as a Radical, and, in fact, lost reputation as rapidly as he had won it in former days. He returned to Washington extremely embittered with the President, and resolved to make war upon him. He became intemperate in his denunciations, and equally so in his habits. Finally, after much manœuvering, Senator Gwin got the two *ci-devant* friends together, and they fell into each other's arms and blubbered and drivelled mutual apologies. But to the last hour of his life, whenever Mr. Walker indulged too much, his disappointment and hatred of Buchanan cropped out into savage expletives. When drinking, Mr. Walker became quarrelsome and pugnacious. On one of these occasions, when the case of the new Almaden mine (in which

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he was a stockholder) was before the Supreme Court, he took exception to the argument of the Attorney General, (Jerry S. Black,) and challenged him. Of course, his official position and his religious sentiments prevented Mr. Black from taking any notice of this absurd demand.

In his professional life, after his retirement from the Treasury, his practice was chiefly confined to a few large cases with heavy contingent fees, and he thus became associated with a class of reckless and sometimes not very clean speculators, more or less to his injury, though sometimes profitable.

Among these he got as a fee an interest in the celebrated "New Almaden quicksilver mine," in California. After protracted and expensive litigation his party won it, but the defeated party refused to give possession, and military preparations were made on both sides. A compromise, however, was effected by allowing a million and three-quarters for a peaceable relinquishment. Mr. Walker disposed of his interest for near $500,000, and was about that time appointed by President Lincoln, on the recommendation of Secretary Seward, Financial Agent in Europe for the United States. The main object of his mission was to discredit the Confederate States, and cripple their efforts to obtain money and recognition. In this he fully succeeded. Forgetting that all he was he owed to the generous people of Mississippi, who had lifted him from poverty and obscurity, he denounced her for repudiating just debts, and implicated President Davis, who had never had any connection, direct or contingent, with the subject. But while Casca like, stabbing his best friend, he forgot to mention that the Sinking Fund, which had been set apart for this very debt, he had contrived to borrow, and afterwards refused payment except in depreciated warrants. The spirit of nationality might properly have induced Mr. Walker to adhere to the Federal Government, but he should never have accepted a service directly against his early benefactors and best friends. On this mission Mr. Walker appeared in great state. He travelled with a large retinue of attachees and servants, with the air of an imperial prince. How much of the public money, and how much of his own he expended in this pageantry, it is needless to inquire. This suddenly acquired fortune melted rapidly away, and the great financier, after this last crusade against his early friends, is understood to have died in embarrassed circumstances. He was indebted to Mississippi for his earthly honors, and it is painful to record that his last energies were earnestly employed to crush and destroy her.

FRANKLIN E. PLUMMER was a native of Massachusetts. Before he was twenty-one, he worked his way on a sailing vessel to New Orleans. His possessions consisted of a wallet of clothing, and five dollars in cash. While strolling around, nibbling some hard tack for his dinner, he fell in with Capt. Brown, who was running a small schooner on Lake Pontchartrain, who told him there were some Yankees in Pearl-

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ington, Miss., and offered him a free passage. At Pearlington he found Messrs. Pray and Learned, lawyers from Maine, Samuel White, L. Kimball and other New Englanders, all of them prosperous and influential. By their advice he set out, on foot, for the new county of Copiah, where he took up his residence with John Coor, the first sheriff of the county, and there opened a log-cabin school. The first functionaries of our new counties were plain people, often unlettered, who knew but little of their official duties.* Plummer had such education as the common schools of New England at that day afforded. He could read, write and cipher up to the Rule of Three. He had push, shrewdness and the "gift of gab," and was considered at that time, and in those new settlements, a walking enclyclopedia.

"The country all declared how much he knew,
'Twas certain he could write and cipher too;
Lands he could measure; terms of tides presage,
And ev'n the story ran that he could guage!
In arguing too, the parson owned his skill,
For ev'n tho' vanquished he could argue still,
While words of learned length and thundering sound,
Amazed the gazing rustics rang'd around!"

It was not long before Plummer became virtually sheriff, clerk and county judge, though the commissions of course, were held by three respectable citizens.

What now constitutes Copiah and Simpson, was then embraced within the limits of Copiah. A year or two later, Pearl river was declared to be the dividing line, and a *new* county, called Simpson, was organized, and the seat of justice located at Westville. Plummer saw his opportunity, squatted himself at Westville, and stuck out his shingle as attorney and counsellor-at-law. His library consisted of Poindexter's Revised Code, a pamphlet copy of the acts of the last legislature, and one volume of Blackstone on crimes and misdemeanors. If he had ever read anything else he kept it a secret, and nobody ever saw him reading. He spent his time among the boys, in the crowd, and on the steps of the courthouse, but when the courts came on he was found employed on one side of every case, and to the astonishment of older lawyers, and of the Judge, he was generally on the winning side! He talked fluently; his manner was insinuating; his smile irresistable; his good humor contagious; he knew his jury; fathomed the depth of the judge, and had the most consummate audacity. His career at the bar was short, but no man was ever more successsful. Of course, he extended his reading as his practice increased, and in several counties he was soon employed in nine-tenths of the cases. Two men quarreled about a will, in a neighboring county. One said, "I will sue." The other replied, "sue and be d—d!" They separated. Each started for Plummer by different roads, and faced each other at his office at the same moment. Each claimed him as counsel, but he made them decide it by pitching up a dollar—heads or tails! And he who won, paid him the fee.

As a matter of course he was the first representative from his county.

*I served my first session in the legislature with a worthy, modest, sensible man, who had been sheriff of his county, but could neither read nor write. He served several times in both Houses, and was never defeated.

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He was elected as often as he chose, and soon became the leader in the legislature of what was, in those times, almost a distinct political organization, known as *East Mississippi*. He made himself master of parliamentary law, and could embarrass the House or disentangle it, at his pleasure. This, with his free and easy way of speaking, and his imperturbable good humor, made him both a popular and influential member, wielding more power than men of higher grade and culture, or than all of them combined. In 1829, to the surprise, not to say disgust, of the old politicians, he announced himself for Congress. The candidates were Wm. Haile, (late member) of Wilkinson, Wm. L. Sharkey, of Warren, and John H. Norton, of Hinds. They regarded it as a great piece of impertinence in Plummer. But he cooly took the stump, and routed them without difficulty. It was on this canvass he played off a good joke on Monsieur Parisott, who had opened a hotel at Benton, Yazoo county. Mr. Plummer put up there; made free use of the bar; invited many friends to drink and dine with him; made his speech and ordered his horse. Parisott had the bill in his pocket, attended him to the door, intending there to present it, when Plummer called out to the crowd, "Attention, Gentlemen!" Before leaving Benton I desire publicly to acknowledge the unbounded hospitality of my worthy friend Parisott, who stands here modestly behind me. He is a true Samaritan. He found me weary, hungry and thirsty, and he comforted me. He has placed his table and bar at my disposal, as you gentlemen, can testify. He is the prince of tavern keepers, delights in feasting his guests, and never says a word about a bill. God bless you, my dear friend. Plummer will never forget you. Gentlemen, farewell!" And vaulting on his horse he rode off, amidst the hurrahs of the crowd. He was re-elected as often as he presented himself, beating, without difficulty, the most popular men in the State. In one of his contests, he and one of his competitors, Judge Harry Cage, agreed to canvass together. They met at Holmesville, and when they stopped at 12 M. at a farm house for dinner, Cage pleased the mother very much by kissing her little girl and praising its beauty; but she was completely carried away when she saw Plummer pick up her wee toddling boy, lay it gently across his lap, turn over its little petticoat, and go to *hunting red bugs!* "They are powerful bad," said Plummer, "and mighty hard on babies." She was enchanted, and never forgot that tender hearted Congressman.

That night they stopped with an aged couple, whose children had all married, and settled around, and formed quite a colony. Cage recommended himself by cutting a turn of wood and bringing it in for the old lady to get supper. In the morning he missed Plummer, but soon found him at the cow pen, the old lady milking and he *holding the calf back by its tail!* Cage was furious; he found himself headed at every turn, by the cunning Yankee. So when they rode a mile or so, and came to where the roads forked, Cage halted and said: "Plummer, here we part. You are too aggravating. Choose your road. If we travel together another day I shall shoot you. And so they parted. Mr. Plummer was good tempered, full of humor, a hearty laugher, lived at a period when street fights and duels were the

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order of the day, but was rarely involved in difficulties. His personal courage was doubted, but without any reason whatever. On very exciting occasions, in the presence of an angry crowd, and of some who would have been glad to shoot him, he exhibited singular coolness and self-command. He and Governor Runnels were bitter enemies, and in the canvass of 1835, Plummer followed him around, and goaded him with irritating speeches and newspaper squibs. They met at Gallatin on the day of the election. Runnels was like a mad bull, tearing up the earth, and indulging in most profane language, and was so carried away by passion that he broke down in his speech and lost the vote of that large county on which his re-election depended. Mr. Plummer stood in the street perfectly calm, made a speech that pleased all parties, and though the county was largely Democratic, and gave a large majority to all the other Democratic candidates, he carried it for his friend, Judge Lynch, the opponent of Runnels.

Mr. Plummer, being from Massachusetts, was once, in some newspaper, taunted with being an abolitionist in disguise. He met it by having secretly printed and distributed, a hand-bill, in which he was charged, on the authority of Gen. Arthur Fox, a well-known planter and politician of Lawrence county, with having confessed abolition opinions to him, and having instigated several of his slaves to abscond. This produced a great excitement. Mr. Plummer waited until his enemies began to use it on the platform, and then he came out with the printed declaration of Gen. Fox, that the hand-bill was a tissue of lies; that Mr. Plummer was as orthodox as any man in the South; was his frequent visitor and cherished friend, and he would personally chastise the author of the hand-bill if he dared reveal himself!

The reaction was tremendous. Plummer was never taunted on that subject again. The late Powhattan Ellis, who was, in turn Circuit Judge, United States District Judge, Senator in Congress and Minister to Mexico, though always a straight-out democrat, was aristocratic in his tastes, habits and appearance; very dignified, precise, and dressy. Somewhere in the east, in some canvass, when fording a creek which proved to be swimming, he lost his portmanteau. Plummer published an advertisement in the Monticello paper: "Lost by Hon. Powhattan Ellis, in crossing Tallahala, the following articles: 6 lawn handkerchiefs; 6 cambric shirts; 2 night do.; 1 nightcap; 1 pr. stays; 4 pr. silk stockings; hair brush, flesh-brush, nail-brush, clothes brush, razors and dressing-glass, pomatum, perfume, &c., &c." That advertisement killed the Judge east of Pearl river; such a sample of "swelled head" effeminancy, and Natchez dandyism, was not wanted in the piney woods.

In 1830, when Mr. Plummer was on his first canvass for Congress, he was so little known and appreciated in Natchez, the commercial metropolis of the State, it was made a charge against the writer (who was before the people for re-election to the legislature) that he was a friend of that gentleman, and had invited him to visit the county! The charge created quite an excitement, and on the 5th July he had to issue a circular, in which he said: "I have not invited him to this county, nor have I, thus far, taken any part in the canvass. Mr.

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Wm. M. Grwin.

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Plummer is my personal friend, and however unpopular it may be here, I am not ashamed or afraid to own it. In becoming a candidate to represent you in the legislature, I did not relinquish my rights as a citizen, and I shall exercise my privileges at the polls without consulting any man or set of men. I may make myself obnoxious to powerful men, and be harried by their bull-dogs, but I shall steadily pursue the course that my own judgment approves." This, had it occurred to-day, would have been called "bulldozing."

In 1835, only five years afterwards, Mr. Plummer was invited to Natchez by leading citizens; was entertained and lionized by the very gentlemen who had attempted to "bulldoze" his friend; and then and there, he made out his slate for Congress, for Governor, and for State officers, with his own name, at the head of the ticket, for U. S. Senator. The banks were thrown open for his accommodation. He purchased a stylish barouche; mounted his servant in livery, and set out on the canvass. He was then at the height of his power and popularity. But from the date of this visit, both began to decline. Previous to this, he had had no connection with intriguors, cliques, banks, or combinations. He stood upon his own platform of "Plummer for the people, and the people for Plummer," and had been found irresistible. But now he had become one of a ring; in alliance with capitalists and men of aristocratic habits, and the illusion was over. He was no longer a lion whose roar had frightened the stock-jobbers in their dens, but a house-cat purring about their slippered feet, to be petted and caressed. He could no longer use his favorite slang, so acceptable to the multitude, of "swelled heads" and "bloated bondholders," but had to deal in the cream and sugar of flattery and falsehood. This was in the bond. He had got their money, and he had nominated two or three of them for high office, and his mission was to eulogize, and not to denounce. This was out of his line. His forte was ridicule and fault-finding; to set the poor against the rich; to consolidate the pine-woods counties against the river section. This policy he had to reverse, and consequently failed. It was no longer "Plummer for the people," but "Plummer for the banks, and the banks for Plummer," and he lost his popularity. The combination slaughtered him. He seems to have lost courage, and never afterwards occupied a public position; never indeed aspired to any; neglected, or rather abandoned his profession, and went down rapidly in the social scale.

He never seems to have had any thirst for money. He was lavish with it when flush, but generally had none or very little. At one time he established, and was President of the Bank of Grenada, which flourished for a time, and he owned many of the town lots. He died in Jackson, in 1847, in an obscure cabin, and in poverty. Those who only knew him, in his decade, as a defunct politician, and a sot, lurking in mean places, with low associates, can have no conception of the power he once exerted. Those who knew him in his better days, what he had been, and what he might have been, sincerely lamented his indiscretions and unhappy fate.

WILLIAM M. GWIN, whose name has been so frequently introduced,

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is a native of Sumner county, Tennessee, son of the Rev. James Gwin, a distinguished Methodist minister, who removed from North Carolina, in 1790. He was a man of pronounced ability, and great decision of character, an evangelist in the pulpit, highly valued by Bishops Asbury and McKendree, the first American Methodist Bishops; a soldier, when the frontier had to be defended, enjoying, through life, the confidence and respect of Andrew Jackson. From this sturdy pioneer of religion and patriotism, a typical Western American, William McKendree Gwin, derived his prominent characteristics. After receiving a classical education, he qualified himself in Gallatin for the practice of law. The bar of Tennessee was then famous for its ability. The names of Grundy, Campbell, Whitesides, Crabb, Bell, Foster, Fogg, and others, were known throughout the Union. Young Gwin witnessed, from day to day, in the courts, the learning, logic and eloquence of these great lawyers, but it inspired him with a want of confidence in himself. His modesty was equal to his merit, and he, prematurely and unwisely, concluded that he was not adapted for the profession. He next turned his attention to medicine, and, in 1828, took his degree at Transylvania University. He soon after removed to Clinton, Mississippi, and obtained an extensive practice. In 1833, he retired from practice, on being appointed, by President Jackson, United States Marshal, for the District of Mississippi, an office always of great responsibility, and at that time, and for a number of years thereafter, highly lucrative. The President had previously appointed the elder brother, Colonel Samuel Gwin, Register of the Land Office at Mount Salus, (Clinton,) as has been related in the memoir of Poindexter. This young man, while a student at college, though so crippled as to be unfit for service except on horse-back, on the first call for volunteers, ran away from his studies, and joined General Coffee's mounted brigade, in which he served until the end of the war, acting meanwhile also as secretary to the General.

Mr. Poindexter, Senator from Mississippi, as has been before stated, had several favorites who were looking to him for the appointment of Register, and not being successful, he commenced a bitter war on the nominee and on the President. He suddenly allied himself with former political enemies, with the understanding that they would vote for the rejection of Gwin, and he would co-operate with them against the administration. He urged the point that Gwin was not, and never had been a citizen of the State. The President took the ground that the office was national in its character; that all the States had an equal interest in it; and that though young Gwin may not have been a citizen at the time of his appointment, he had passed several years of his life in defending the soil and the citizens of Mississippi against the British and Indians, and thus established a fair claim to recognition. The coalition, however, was strong enough to reject Mr. Gwin, although the strongest testimonials to his character and qualifications were on file. This rejection, and the apostasy of Senator Poindexter, occasioned great excitement in Mississippi. Remonstrances against the rejection poured in from all quarters, and a call signed by one thousand citizens, including every Democratic member of the Legislature, was made on the President for his reap-

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pointment. The President complied with the request, soon after Congress adjourned. The President believed this to be within his prerogative, and to be right, though there was no precedent on record. It was charged that he had violated the Constitution, and the privileges of the Senate. The war raged furiously without results, when it was compromimised by transferring Mr. Gwin to the new land office at Chocchuma, and appointing another to the vacant place at Mount Salus—a compromise that decided nothing against President Jackson, and gave Mr. Gwin a more profitable position.

When Wm. M. Gwin's name, as Marshal, was sent to the Senate, Mr. Poindexter savagely denounced it, and succeeded in having it rejected; whereupon Gen. Thomas Hinds was nominated. But immediately thereafter, Senator Grundy, of Tennessee, who was a staunch supporter of the administration, and at the same time had long been the personal friend of Mr. Calhoun, and his connection by marriage, made an appeal to him, and it being understood that that distinguished Senator would withdraw his opposition, the President withdrew the name of Hinds, re-nominated Gwin, and he was confirmed.

The well known intimacy between the President and his old chaplain and comrade, Rev. James Gwin, and the attachment he manifested for the sons, of course made them central figures in the Democratic party of Mississippi. Both of them had the talent, the courage, firmness and fidelity to friends, to qualify them for leaders. The bitterest contest that ever occurred in the State, before or since, was then raging. Mr. Poindexter was a candidate for re-election, backed not only by his own followers, but by the enemies of the administration, of every faction. The Gwins had brought out Robert J. Walker as the antagonist of Poindexter, a man of great talent, but inferior to his adversary, and with no hold whatever on the affections of the people, and no claims on their support. He was presented simply as the most available instrument that could be found, adroit, indefatigable, and flexible, and to sponge out his tergiversation on the bank question they armed him with a special endorsement of Gen. Jackson.

Poindexter was defeated, as he deserved to be; but Walker should not have been elected. He had little identity with the State, and was even then contemplating a move to New Orleans. He had been a political trimmer, and deserted his friends at the moment of their greatest peril. Had been a truckler to the banks, and one of their directors, until they had become embarrassed and powerless; had consented to be white-washed by the chief magistrate whom he had so recently denounced, and then, without a blush or a pang, sought senatorial honors under the shadow of his overpowering popularity.

Under such circumstances the new Senator would have been less an object of envy, than the defeated statesman, but for his infamous private character and his corrupt political career.

The result of this exciting canvass demonstrated the great influence exerted by the two Tennessee brothers. It terminated in a duel between Judge Isaac Caldwell, the law partner of Poindexter, and Col. Gwin. The challenge passed, and was accepted, and though it was the usage to go beyond the limits of the State, on this occasion it was

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agreed to fight at Clinton, where they both resided—a fight designed to be *a l'outrance*, and in which both, doubtless, had a presentiment of death. Both parties fell. Caldwell expired in two hours. Gwin was shot through the lung, and survived about a year.

Mr. Wm. M. Gwin, after the death of his brother, became a large operator in lands, in conjunction with the late H. R. W. Hill, of New Orleans; subsequently with Dennistoun & Co., of New Orleans and Liverpool, and Samuel Davis, of Natchez. In the summer of 1836, he entered for this company over 100,000 acres, chiefly in Arkansas, and was offered by a New York firm a profit of $100,000 for the investment, which he vainly urged his friends to accept. The great financial revulsion of 1837 proved the wisdom of his advice.

It is singular how private matters interweave themselves with, and influence great public affairs. The nomination of a *protege* of President Jackson to a land office in Mississippi, agitated the Senate of the United States, superinduced new and important coalitions, re-organized parties in Mississippi, broke down forever the ablest man that ever lived in the State, and brought into notice, and into power, a man who had no claim whatever on the dominant, or any other party, and who held no property within her limits.* Gov. Sam Houston's eccentric conduct, and unaccountable separation from his wife, and Wm. M. Gwin's purchase of land in the Mexican province of Texas, blazed the way to its independence, recognition, and annexation.

Sam Houston was a favorite and pet of Gen. Jackson. When a youth he had gallantly fought, under the eye of the chief, at the terrible battles of Talladega, Emuckfa and the Horseshoe, and came back covered with wounds. With the countenance of his general he had won many civil honors, had been elected from the Hermitage district to Congress, and in 1828, under the same auspices, entered the field successfully for Governor, against Col. Cannon, who had served with distinction in Jackson's campaigns. Gen. Carroll had been Governor, but was constitutionally ineligible to re-election. In the contest between Cannon and Houston he threw all his popularity in the scale of the former. General Jackson supported the latter, and he was elected, but had scarcely been installed before Gen. Carroll announced that at the next election he would be a candidate against him. Gen. Carroll was a native of Pennsylvania—had been a blacksmith, a man of vigorous frame and vigorous intellect, and had been the right-hand of Gen. Jackson in all his wars. He always professed the utmost attachment for his chief, but was suspected of a lurking partiality for Mr. Clay. This, after the sudden coalition between Mr. Clay and Mr. Adams, in 1824, by which he believed, and his friends believed he had been defrauded of the Presidency, was an unpardonable sin, and

* Shortly after Mr. Walker became a candidate it was found necessary to *identify* him more thoroughly with the State. He purchased (conventionally) from Dr. Sam Puckett, of Brandon, a large plantation on Pearl river, near Madisonville, Madison county, which he called Pearl Dale. He moved there into a log cabin, and ostentatiously addressed all his newspaper publications from that point, thus gammoning the public into the belief that he was a citizen of the central county of the State, and identified with the great Pearl river interest. After the election Mr. Walker quietly returned to Natchez, and the Pearl Dale as quietly reverted to Puckett.

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the contest with Houston would have widened the breach. It is doubtful how it would have terminated. Carroll exerted almost as much influence as Jackson, and he was backed by all the adherents of Mr. Clay, who controlled nearly the entire capital and manufacturing interests in the State, especially the great iron industry.

Houston was a man of showy talents, a florid and attractive speaker, of magificent *physique*, and imposing manners. He had been elected Governor over Cannon by a decisive majority, but in view of the more formidable opposition of Carroll, it was deemed advisable that he should seek alliances. He accordingly addressed and married an accomphlished lady of Sumner county, of great beauty and attractiveness, of a wealthy, influential and wide-spread family, with some reluctance, it was said, on her part, but with the entire approbation of her friends.

Very soon thereafter, for reasons that were not explained then, and have never since been ascertained, he suddenly resigned his office, abandoned his young wife, and disappeared. He lived for a while among the Cherokees in the West, wore the Indian costume, and was adopted into the family of a prominent chief. Finally, he settled at Nacogdoches, Texas.

Mr. Gwin, while Marshal of Mississippi, made it a point every summer to visit General Jackson, either in Washington or at the Hermitage. In 1834 he went to Washington, and was for several weeks the guest of the President; and Houston, and Texas, were frequent subjects of conversation. Soon afterwards Mr. Gwin repaired to Nacogdoches, and spent a month with General Houston, and General Rusk, who had recently arrived.

President Jackson, it was well known to his confidential friends, had enlarged views as to the legitimate boundaries of Louisiana to the west, and had, in his own mind, no very pronounced conviction that the Spaniards or Mexicans had any title east of the Rio Grande. It was generally believed that he had not exerted his power to prevent citizens of the United States from joining the "rebels" in Texas, then being organized and led by his old friend Houston.

When General Felix Houston, and others, were, publicly, with drum and fife, recruiting in Mississippi for the Texas army of Independence, it was remarked that the United States Marshal and District Attorney were unaccountably absent! While Mr. Gwin was at Nacogdoches, for himself, and for the late James C. Wilkins and L. R. Marshall of Natchez, then classed as capitalists, he made large investments in Texas lands! At this day, when the grave has closed over all the parties but one, it will be no breach of confidence to say, that Mr. Gwin made that visit to General Houston at the instance of the President, and that the great programme was then planned, which was subsequently followed as closely as events permitted.

In 1837, Judge Black, a Senator from Mississippi, elected as an anti-bank Jackson Democrat, but who had fallen under Bank influence, in his negotiations for plantations and negroes, was compelled, by public opinion, to resign. Mr. Gwin was in Tennessee at the time, but he was immediately written for to return and enter the lists.

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He had great personal popularity and political influence, and he held the most lucrative office in the South, which, of course, in the event of his election, would devolve on one of his adherents.*

It was objected, however, by the friends of other aspirants, that Senator Walker and Mr. Gwin both resided in Natchez, and that to disregard the Northern portion of the State, where the party strength was located, would be unjust and impolitic. Then was the opportunity for Walker to have asserted his domicile at Pearl Dale, but he was silent. Mr. Gwin, feeling the force of the objection, and seeing that the office of Marshal would become a bone of contention, made no farther effort. His friends, however, insisted on placing him in nomination in caucus, where he was defeated by one vote, by the late James F. Trotter. This gentleman, a respectable and well read lawyer, was chosen for the short term. No election was had at that session for the long term. On the accession of Mr. Van Buren he re-appointed Mr. Gwin Marshal. When General Harrison went into office, Mr. Gwin resigned. Although recognized as a faithful and most efficient officer, and with many warm personal friends in the Whig party, he had been too decided a party man to expect or desire to hold office when the opposition came into power. The Democratic party had been thoroughly disorganized by the election of Harrison. Many had caught the contagion of that remarkable canvass, and had joined in the log-cabin, hard-cider, red-pepper and coon-skin processions. Many who had been ruined by their own improvidence and reckless speculations, supplemented by swindling banks, fancied that a change of administration would enable them to retrieve their fortunes. Many, and with good reason, believed that Harrison was pure and incorruptible; that he would never "give up to party what was meant for mankind," and that the office was due to his long and illustrious career. He was, in truth, the American Cincinnatus, and the only one we have had, with the exception, perhaps, of Silas Wright of New York.† No man in the public service ever had greater opportunities than Harrison for amassing wealth. He was in high position for many years. Millions of public money had passed through his hands. But, though born to affluence and to social rank, he was simple, unostentatious and economical in his habits, and lived and died a poor man, with an immaculate reputation.‡ No wonder that such a man, when brought from his modest farm before the world as a candidate for the Presidency, should sweep away party lines, and mass men of every organization in his support. Such was the effect

*Governor Runnels and Hon. Volney E. Howard, now of California, urged the election of Gwin, and would have competed for the Marshalship.

†The writer once paid a visit to the great New York Senator. He found him in a smock-frock, at work on his little farm, near Canton, St. Lawrence county, and living in the simplest style. He talked of his grain and grass, and vegetables and poultry, and showed them all with evident satisfaction.

‡When Gen. Harrison died, the writer, in the Natchez Free Trader, wrote an editorial, (that was copied everywhere,) suggesting the propriety of voting one year's salary of the Presidential office to Mrs. Harrison. This, I take pride in saying, was the first suggestion of the kind that was made. There was no precedent for it, but Congress adopted it, the more readily as the suggestion came from a Democratic quarter.

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everywhere, and nowhere more than among the impressible people of Mississippi. Our Democratic legions melted away, and left the party stunned and disorganized. Had Harrison lived, there is no telling how long it would have thus continued; but on his death a re-action followed.

A Democratic Convention had been called and convened at Jackson, January 8th, 1841; but there was an absence of harmony, co-operation and confidence; the ticket presented did not seem acceptable, and most of the nominees declined. The prospect was by no means encouraging. At that juncture Mr. Gwin, having concluded to run for Congress, threw all his energies into the work of organization. Hon. A. G. Brown, the most popular man in the State, had declined to serve any longer in Congress, and was a candidate for Circuit Judge. Hon. Jacob Thompson, his distinguished colleague in Congress, had declined another canvass, and was running for State Senator in his district. Mr. Gwin induced him to change front, and again announce himself for Congress. Mr. Tighlman M. Tucker, of Monroe, had been nominated for Governor, and had declined. Mr. Gwin induced him to review his decision and accept.

The canvass, it was well known, would not be conducted on national issues, but on the Union Bank bond question. That was the great issue of the day, and would absorb every other. In reference to it, the Whig Convention had selected as their candidate for Governor, the Hon. David O. Shattuck, a Methodist preacher, an eminent lawyer, then Circuit Judge, and a prompt and powerful debater. He was averse to the canvass, but his forensic strength, his geographical position, and his influence with a powerful religious sect, made him a formidable adversary. On the other hand, Tucker was illiterate, slow and prosy; he had, however, much shrewdness, a good deal of dry humor, a fund of smutty anecdote, and a certain popularity connected with his nick-name, old *Til-le-toba*, or the blacksmith, to which respectable craft he once belonged. And he was an earnest, sincere and honest man. But he had been broken down by typhoid fever, and was not able to take much part in the struggle.* Mr. Thompson, an able debater and thorough master of the leading issue, was invalided by chills and fever, at the commencement of the canvass.

The outlook was not auspicious. Mr. Gwin, though a man of great energy, in vigorous health, and with no equal as a tactician, was an untried debater, and, in fact, had never made a speech. With features, expression, and manner that indicate an intrepid and resolute soul, he was timid as a woman before a popular audience. Under these circumstances he induced John D. Freeman of Natchez, a young lawyer well known to the Democracy, to become a candidate for Attorney General. Mr. Freeman was then the partner of the late

*Though no orator, Tucker was not wanting in confidence. He occasionally met his adroit adversary in debate. He said to me: "I have several times run Shattuck, like a hare, into a hollow tree; have made my smoke and waited for him to tumble down; but the fellow always found some augur hole to slip out."

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Judge Thacher.* They had a lucrative and rapidly increasing practice, which Mr. Freeman was reluctant to abandon; but he was an impromptu speaker, a trained debater, with sufficient audacity, and was indispensable to the ticket. These two gentlemen took the field and opened the canvass in Columbia, July 4th. Then, for the first time, Mr. Gwin presented himself as a speaker. He was much embarrassed, but soon recovered his composure, and the vote he received will attest the impression he produced.† He was elected by some 25,000 majority, about the same that had been cast for the Harrison ticket the previous year.

He took his seat in Congress, not as a stranger. His frequent visits to Washington had introduced him to all the prominent leaders, and he was known to be the confidential friend of Ex-President Jackson, who, in the retirement of the Hermitage, was still a "power in the land." Mr. Gwin found lodgings in the same house with Mr. Calhoun, and like most other men thrown in contact with him, he soon fell under his personal magnetism. So much so, indeed, that notwithstanding his relations with General Jackson, and his known antagonism to Calhoun, Mr. Gwin came to the conclusion that Mr. Calhoun should be the next President.

He knew, however, that there was no chance for it, unless a reconciliation with General Jackson could be had. This mediation Mr. Gwin undertook, with the approval of Mr. Calhoun, who then, as at all other periods of his career, was tortured, like Tantalus, with an insatiable appetite for the Presidency, which could never be appeased. At that moment, Virgil Maxcy of Maryland, late Solicitor of the Treasury, had written a campaign life of Calhoun, to influence the action of the forthcoming National Democratic Convention. The MS. was referred by Mr. Calhoun to three confidential friends, viz: Mr. Hunter of Virginia, Mr. Anderson of Tennessee, (successor to Judge White,) and Mr. Gwin of Mississippi. It was found that Mr. Maxcy had briefly, but strongly, presented and defended Mr. Calhoun's views on the subject of nullification, and the position he had maintained in that controversy. Mr. Gwin and Mr. Anderson proposed to strike out that portion, considering it as an adjusted question, and that its introduction would revive the controversy, and the antagonism between Jackson and Calhoun. And, in their opinion, though General Jackson was rapidly sinking in health, no man could be elected President without his approval. Mr. Hunter, who had never been a Jackson man, but was now giving a qualified support to the Democratic party, objected to the erasure, and the matter was submitted to Mr. Calhoun. ‡

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* J. S. B. Thacher, native of Boston, of a well-known family; graduate of Harvard; came very young to Natchez; allied himself at once with the Democratic party; established a large practice; elected to the bench of the High Court of Errors and Appeals. Died young and greatly lamented.

† The writer accompanied these gentlemen through the eastern counties and took part in the debate. Mr. Gwin became a forcible and impressive speaker, very prompt in reply. It is remarkable that when elected to Congress and to the Senate, he addressed those bodies without embarrassment and with great force and effect.

‡ Mr. R. M. T. Hunter, of Virginia, a professed States-rights man, but often in alliance with the wildest latitudinarians and consolidationists in Congress; an im-

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In due time he summoned the referees to his apartment, and said that he knew the decision he had arrived at would exclude him from the favor of both the great political parties; but rather than have an authorized history of his life to ignore his doctrine of state sovereignty, and his course in defence of it, he would forfeit all his prospects for the Presidency. This, of course, ended the matter, and quashed Mr. Calhoun's chances through the coalitions then proposed. It is not probable that anything Mr. Gwin could have done, seconded by the influence of Maj. A. J. Donelson, private secretary of Gen. Jackson, (who was alwas a secret adherent of Mr. Calhoun), could have reconciled Jackson to favor Calhoun's election. He was implacable in his resentments, dogmatical in his opinions, and thorough and demonstrative in his patriotism. He considered Mr. Calhoun a traitor, and had, at one crisis, a strong inclination to hang him. These opinions and convictions overruled every effort at reconciliation, until the brave old soldier came to die. And at that supreme moment, when we most feel the need of forgiviness, and the follies of the past and the uncertainties of the future crowd upon us, Mr. Gwin tells us, that there came from the dying chief a message for Mr. Calhoun—that he was not his enemy, and had full faith in his patriotism. This is given on the authority of Maj. Donelson. It may have been like a christian to send such a message, but it was very unlike *Andrew Jackson*. He was a member of the Presbyterian church, but was certainly no saint. He had, there is no doubt, an unfaltering trust in God, but no fear of the devil, and nothing but that fear would have made *him* send such a message.*

The annexation of Texas had now become the absorbing question. It was being pressed by President Tyler and Mr. Calhoun, supported by a strong portion of the Democractic party. Gen. Jackson was known warmly to favor it; but many of his staunchest friends, Benton, Blair, Van Buren, Wright, etc., were opposed to it. Francis P. Blair had been expressly induced by President Jackson to remove to Washington, and there to establish the Globe newspaper, to defend his administration. He had filled this responsible mission with unshaken fidelity, and extraordinary ability. Never, at the most momentous crisis, when the party seemed shivering into atoms, was there any flinching on the part of the Globe. It fought like Dentatus, with its back to the rock, and never receded one inch. No party, in any country, ever had an organ so powerful or so fearless. The most in-

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practicable man, and idealist, who, with all his talents, has, in every position, proved a failure. During the war into which he had helped to precipitate us, he subsided into insignificance, and in the memorable interview with President Lincoln and Mr. Seward, his impracticability, as usual, was apparent and pernicious. Such men, guided by sterner wills, make excellent head clerks, but never rise to the dignity of statesmen. In revolutions, they become non-entities.

*One of the truest and best illustrations of the character of Jackson was given by the famous Tom Marshall, of Kentucky, in one of his stump speeches: "We have Jackson to fight, gentlemen—and he is a host of himself. He has whipped every adversary; he whipped the Indians; he whipped the Spaniards at Pensacola; he whipped the British at New Orleans; he whipped Clay, and Adams and Calhoun; he whipped King Biddle and the bank, and now *he has turned Presbyterian and will whip the devil.*

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defensible act of the Democratic party was its abandonment of this well-tried friend, for Thomas Ritchie, of Virginia, and Mrs. Jackson's nephew, A. J. Donelson, of Tennesse. The first had been Jackson's bitter enemy, at the turning point of his career, and had his efforts been successful, would have crushed him forever. He had likewise, been a trimmer, in the great conflicts between the independent treasury and the state banks, when Blair had stood, like the Roman sentinel, at the gate of Pompeii. Ritchie was an accomplished and genial gentleman, a superb tactician, a sincere Republican, but too sectional, and circumbscribed, and timid, to conduct a national organ. Donelson was a weak man, inflated with conceit, whose whole importance flowed from his proximity to Jackson. These men superseded Mr. Blair, and established the Washington Union—became the organ of Mr. Polk, and an utter failure. It passed through many hands but was the feeblest paper ever published at the capital.*

Mr. Gwin declined a renomination which was earnestly pressed upon him. He had become financially embarrassed. While United States Marshal, in the general panic and distress and shrinking of values, he had, under the ruling of the United States Circuit Court, received in satisfaction of judgments, or at sales under execution, the issues of the best of the State banks. These had depreciated in the general collapse, and the plaintiffs, for the most part, refused to receive

* The annexation policy, of course, demanded an organ, and as Blair and Rives, editors and proprietors of the Globe, would not vary their views even to oblige Gen. Jackson, they were induced to sell out, and the new paper, the Union, became the organ of Polk and annexation. Mr. Ritchie, of the old Richmond Enquirer, was designated by acclamation as senior editor, but very many objected to Mr. Donelson as his associate. He was placed in the position, mainly by the persistent efforts of Mr. Gwin, with the active support of Gen. Jackson. He was an incubus on the establishment from the outset, a bad economist and a feeble writer. He was got out of the paper by an appointment to some foreign mission. Messrs. Blair and Rives became for a while hostile to Mr. Gwin, in consequence of his efforts for Donelson, and they asserted that Gen. Jackson had lost confidence in him. Then it was that the old hero, dying with asthma, wrote his last touching letter in the following words:

THE LAST LETTER WRITTEN BY GEN. ANDREW JACKSON.

HERMITAGE, May 9th, 1845.

Doctor Wm. M. Gwin:

MY DEAR SIR: Your kind letter, dated at Washington, April 28th, is received, and now before me, and although unable to weild my pen, hasten to reply to it, It is the day of vituperation and slander, and you, like all other public men, must expect your share.

I trust my character is too well known to believe, that I would ever abandon a friend, who once had my confidence and esteem without positive proof that he had done some act sufficient to forfeit it. I have been your friend, I am still so, as I was your venerated deceased father's and brother's, whose memories I cherish with the livest recollections. I have full confidence in your patriotism and Democratic principles, and you possess too much honesty and personal worth, and those high, lofty and honorable feelings ever to permit you to do an act dishonorable, or such as would tarnish that good moral character, which you brought into life with you, and have sustained to this present day. I am, as I have ever been, your friend, and my best wishes for your prosperity and happiness, and that of your family, will attend you through life, and if we should not meet again here below, I hope to meet you in a blissful immortality. My whole household salute you and yours. Your sincere friend,

ANDREW JACKSON.

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this currency. The ruling of the Circuit Court had been reversed by the Supreme Court, and thus a heavy liability had been thrown on him. He had, likewise, become liable as endorser for a large amount, and many for whom he had endorsed, removed to Texas, or sponged out their responsibilities under the bankrupt act of 1841. He retired from Congress expressly to relieve himself of these liabilities, by disposing of his large property.

In 1844 he was appointed a delegate to the Baltimore Convention. He was in Washington when Mr. Van Buren's celebrated letter against the annexation of Texas appeared.* Mississippi had *instructed* her delegates to vote for Van Buren, but when his letter appeared, Messrs. Walker and Gwin exerted their influence against him, and with some other delegates published a *pronunciamento* in the Washington papers. Under *positive instructions* from an enlightened constituency, that had contemplated this very contingency, their course cannot be defended. Mr. Gwin acted under very strong proclivities for Texas, having been so long in contact with Jackson and Houston, but Mr. Walker's subsequent connection with Mr. Polk throws suspicion over his motives. A northern-born man, with no affinities for southern institutions, and, as his future shows, with very strong northern predilections, he could not have been influenced by the sympathies that influenced Gwin. And there can be no defence whatever for *his* violating the positive instruction to vote for Van Buren. It resulted, however, in the nomination of a man not thought of—James K. Polk—a cold, austere and selfish man, jealous of his friends and suspicious of his own shadow! In the crisis of the canvass, when he was threatened with defeat, he had to appeal to Silas Wright (the best friend of Mr. Van Buren) to save the party. He magnaminously consented to run for Governor, and thus rally the disaffected Democratic masses. But for this, New York would have voted for Mr. Clay.† Mr. Polk was supported, of course, by the

*This letter was the production of a statesman and patriot, and, in the light of events that have followed, may be considered prophetic. Mr. Van Buren knew it would defeat his renomination, but with a sublime honesty and disinterestedness, he expressed his convictions. This letter opened the road to the Presidency for Mr. Clay. If he had favored annexation, he would have demoralized the Democratic party, and carried every Southern State. He was so informed. He was implored "to cross the Rubicon,"—to give even a qualified assent. He sternly refused to disobey his conscientious convictions, and thus signed the warrant for his political execution.

†CANTON, N. Y., Oct. 17th, 1844.

MY DEAR SIR: Your note of September 24th, did not reach me till this day. It is not the first time I have had occasion to thank your eloquent pen and warm heart for praise beyond my deserts. My present position, as I am sure you will believe, is not one of personal choice to myself, but assumed with the strongest personal reluctance. Yet the call was such an one as no Democrat with us, who had received the honors and favors of that noble party, could decline. If it shall turn out that the use of my name can give any aid towards securing national success, any personal sacrifice on my part of personal feeling, or personal interest, will be cheerfully, proudly made. If the time of transit of your letter is a guide, the Presidential election will be decided before this can reach you. The returns from Pennsylvania and Ohio will satisfy you that we have a dreadful, fearful battle to fight. We believe we shall succeed; but when I see the desperation of the Whigs, and remember that we have a formidable Native American faction in our great city, and in some of our other cities an "anti-Rent" faction, so-called,

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great in influence of General Jackson. The victory won, how did Mr. Polk manifest his gratitude? By habitually ignoring the friends of Silas Wright, and appointing his bitter enemy, Wm. L. Marcy, to a place in the cabinet. And after a while, and cautiously, of course, until the old hero died—turning his back on his best friends, and on men whom Jackson had specially recommended!

As soon as the election of Polk was declared, Mr. Walker began to itch for a place in the cabinet, which he never could have had from Mr. Van Buren. He wished to be Attorney-General, and Mr. Polk assented. Mr. Calhoun, (whose friends had warmly entered into the intrigue against Van Buren) was anxious to be retained as Secretary of State. But Mr. Buchanan had been too strongly presented to be overlooked, and was appointed against the wish of Gen. Jackson, who had never trusted him after the Kramer affair. There was a fierce struggle among the New York politicians, for a cabinet appointment. Mr. Polk knew that all the equities required him to make a selection from the friends of Mr. Van Buren, but he yielded to the clamor of the annexationists, and appointed Wm. L. Marcy, Secretary of War, the man, of all others most obnoxious to Van Buren and Wright, and who had not been sound on the great financial measures of the Democratic party. The Treasury Department had already been promised to Geo. Bancroft. When this became public it aroused a violent opposition, not that there could be any personal objection to that eminent scholar, but the Presidential schemers and annexationists needed a man who would exert the great patronage of that department in their interest. Mr. R. J. Walker was, therefore, appointed, and the Navy Department was given to Mr. Bancroft; but his nomination hung fire, and he was finally confirmed by the vote of the whig Senator from Louisiana, Hon. Henry Johnson, to whom the President made special acknowledgments.*

About this time an incident occurred that created some excitement in Mississippi. Mr. Walker being assured of a position in the Cabinet, transmitted his resignation as Senator, by a confidential friend, to Gov. Brown. On its reception the Governor filled out a commission for Hon. J. Thompson, then one of the representatives from Mississippi, and transmitted the same to Walker, to be delivered on his confirmation to a seat in the Cabinet. This commission, for reasons of his own, Walker never delivered. He never communicated the facts to Thompson, with whom he was in daily association. It seems that on resigning he had urged the appointment of Gwin, and withheld

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in several of our old counties, where the lands are extensively held under leases; and an abolition faction in almost every county, and know that they are making the strongest efforts to coalesce with all these, I dare not speak positively, and cannot divest myself of some emotions of fear. Successful, or defeated, I shall not forget your generous friendship, or cease to remain,

With sincere respect, most truly yours,

SILAS WRIGHT.

Hon. J. F. H. Claiborne, Natchez.

* This opposition to Mr. Bancroft was stimulated by Mr. Calhoun and Mr. Walker. They desired to have John Y. Mason, of Virginia, retained as Secretary. Failing in this, he was made Attorney-General. He was a genial, clever gentleman, but by no means a great lawyer, as the Attorney-General should be.

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the commission hoping that his recommendation, deriving additional force from his high position in the Cabinet, might still be adopted.*

In 1845 Mr. Gwin authorized the use of his name in the canvass for Senator. On two previous occasions, one or two votes would have given him the nomination in caucus. Gov. McNutt and Gen. Quitman, likewise, announced themselves, and the former declared his intention to canvass the State, and to attack the antecedents of his competitors. These two gentlemen encouraged Gen. Foote to take the field against McNutt. Mr. Gwin had not the time for a canvass, and Quitman would have been no match for McNutt. Though a man of good sense, and finely educated, he was a feeble debater, and was too modest to encounter the incisive and vulgar weapons of McNutt. He made war not only on his competitors, but on Tucker, Mathews, and other leaders of the Democratic party, and traveled through the State like an Ishmaelite. He was, however, followed everywhere by Gen. Foote, who encountered him personally at every opportunity, and gave blow for blow. The result was that Gen. Foote became the most prominent candidate, and was elected by the legislature over all the others.

Very soon thereafter Mr. Gwin removed to New Orleans. Mr. Walker, Secretary of the Treasury, appointed him to superintend the building of the new Custom House, and Disbursing Agent. The city had presented a square of ground to the United States for such an edifice. Mr. Gwin laid the foundation of the building and was busily engaged thereon until the election of Gen. Taylor, when he promptly resigned and set out for California, where he arrived June 4th, 1849.

*FROM A LETTER FROM HON. JACOB THOMPSON.

"My relations with Robert J. Walker were intimate and confidential. We co-operated in getting up his annexation letter, and in the movement to shelve Van Buren and substitute Polk. When Polk was elected, Walker informed me, that he had applied for a place in the cabinet, and the President had replied that he could only offer him the post of Attorney General. I protested against this, and said, "we secured Polk's nomination, and you can only accept the State Department or the Treasury." He insisted that it was better to take the Attorney Generalship than to have nothing. I declared I would see Mr. Polk! He begged me to do so, but said, "get what you can, but don't decline the Attorney Generalship, if you can't do better." I did see Mr. Polk on the night of the 3d March. He re-cast the cabinet, and assigned Walker to the Treasury, and pledged himself that his name should be thus sent to the Senate. I went to Walker at a late hour the same night, and told him how the matter stood. He was overwhelmed with emotion; seized me with both hands, and said, "Oh, Thompson, you are my best friend. Your zeal and firmness have saved me. I can never, never forget you."

At that very moment, and for some time previous, he had my commission to succeed him in the Senate, in his pocket, and he never said a word to me on the subject! I remained in Washington until Walker was installed in the Treasury, in intimate communion with him every day. I left him with his kindest wishes and warm expressions of friendship and obligation, and not one word did I hear of the commission till I met Gov. Brown in Mississippi! Gov. Brown wished me to accept it, but I had been unanimously re-nominated for Congress, and had accepted it, and I declined to change my position. I wrongly blamed William M. Gwin at the time, and had likewise with him a controversy on another subject, but subsequently our relations became very friendly. I never recognized Walker afterwards. He was a man devoid of fixed principles, controlled by any man who had decision and will. He had a fertile genius, as readily employed on one side of a question as another. He was true to a friend, so far only as that friend could serve him. He always claimed that he used his colleagues as puppets, when in fact, they used him as clerk and man-of-all-work."

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His attention had first been called to that country by Mr. Calhoun, then Secretary of State, who, after a conference with Mr. Gwin, resolved to send a confidential agent to Santa Anna to propose a new boundary between Mexico and the United States, to start from the Pacific at a point between Monterey Bay and San Francisco Bay. The secret agent was dispatched with an offer of ten million dollars, but Santa Anna peremptorily rejected the proposition. Laying his finger on the map where San Francisco now stands, "there," said Mr. Calhoun, "when this bay comes into our possession will spring up the great rival of New York."

The establishment of a State Government was the absorbing topic, and Mr. Gwin immediately entered into the discussion and addressed the people in favor of that policy. He was elected to the Convention which met at Monterey in September to frame a constitution. California at that time had no organized government. The United States had established no form of government. The discovery of gold had attracted thousands of immigrants from all quarters, and there was imminent danger of anarchy and outrage. Organization became a necessity and the Convention was the regular mode of procedure. The Convention was a mixed body, some of them foreigners, not speaking our language; but there were able men in it, and they framed a constitution under which the country has developed with miraculous growth, until the present year it has been cancelled and a new one adopted.

The first Legislature met in the ensuing December, and elected General Fremont for the short term, and Mr. Gwin for the long term, United States Senator. On his arrival in Washington, February 1st, 1830, Mr. Calhoun sent for Mr. Gwin. The Carolina statesman was then near his end, and with prophetic vision he looked into the future, and predicted, with deep feeling and solemnity, that the admission of California as a State would establish the dangerous precedent of squatter sovereignty; would destroy the equilibrium between the North and the South in the Senate; would intensify and perpetuate the agitation of the slavery issue; and the civil war, centralism, and the destruction of the Southern States, would follow.

> "'Tis the sunset of life teaches mystical lore,
> And coming events cast their shadows before."

Notwithstanding these predictions of the dying statesman, and the irregularity and illegality of the initial proceedings, California was admitted into the Union as a State, and her Senators took their seats. Mr. Gwin's labors for the Pacific coast, for its multifarious interests, adjustment of land claims, mining interests, fortifications and public lands and buildings, railway connections, etc., etc., are recorded on every page of the journal. During his whole term his labors were incessant, in the Senate, and in committee; and no public man ever had more success. He was a clear, impressive and forcible debater, addressed himself always to his subject, indulged in no "Buncombe," and stirred up no animosities. He maintained amicable relations with all parties; his hospitable mansion beeame a neutral ground, where the leaders of rival factions met on social terms. He brought this

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social influence to bear in obtaining for California almost all that she desired. On his return to San Francisco, in 1851, he was received with a spontaneous welcome, and the Legislature tendered him the thanks of the State, for his indefatigable and most successful efforts.

At the following session he was made a member of the Finance Committee, and Chairman of the Committee on Naval Affairs, and in these positions he secured the establishment of a mint in California, the survey of the Pacific coast on a grand scale, the establishment of a Navy Yard and Station, and large appropriations for the same; and carried through the Senate a bill providing a heavy subsidy for a line of steamers between San Francisco, China and Japan, via Sandwich Islands. The great railroad which now connects the Atlantic with the Pacific, owes its existence more to him than to any other Senator. Viewed not only as an international commercial medium, but in its political aspect as a bond of perpetual union, the history of this great work is interesting. December 2nd, 1852, Mr. Gwin introduced a bill to aid in the construction of a railroad from the Atlantic to the Pacific. His idea was a main trunk from San Francisco to the Atlantic, with branch roads into the Southern States, and into Oregon. This bill was defeated, mainly by Southern votes. At the next session he obtained an appropriation of $200,000, for the survey of the proposed trans-continental railroads. In 1853, various *projects* for these roads were before the Senate, without results. In 1854, on his motion, a special committee of nine was appointed, of which he was chairman, to examine and report on these various propositions. In 1855, on the report of the committee, a bill, drawn by Mr. Gwin, passed the Senate, but was not acted on by the House. In 1857, on Mr. Gwin's motion, a select committee of nine was appointed, viz: Messrs. Gwin, Douglass, Bright, Seward, Jefferson Davis, Hunter, Bell, Foot of Vermont, and Iverson—representative men, of national fame. In the selection of this committee it was hoped, that by bringing together the great leaders of the rival sections and parties, the hostile feelings then cumulating might be appeased, and that mutual concert in a great national work would arrest the tendency to secession and civil war. Mr. Gwin often assembled these distinguished men at his table, where the social amenities extinguished, for the time, political asperities, until they were rekindled again in the Senatorial arena. January 18th, 1858, Mr. Gwin reported a bill for the construction of the Pacific road, but owing to the agitating questions of the times no action could be had upon it. On the 30th January, 1861, virtually the same bill passed the Senate, and would have passed the House, but for the desire of the Republican members to defer action upon it until Mr. Lincoln entered on his official duties.

Mr. Gwin having been re-elected for another full term, had the United States Circuit Court system extended to the Pacific, and secured the passage of his bill for a sub-marine telegraph to Europe. There was a tie on this bill, but Mr. Gwin induced his colleague, (Mr. Weller,) who had some scruple against the measure, to absent himself, and thus by his own vote he saved the bill.

March 5th, 1861, this active and distinguished Senator closed his

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political career. It had been eminently useful, and brilliant in great results. While acting consistently with the Democartic party, respecting its tradition and usages, and never bolting a regular nomination, he exerted himself to conciliate all parties in the interest of his constituents, and to avert, if possible, the approaching calamities of civil war. He was never forgetful of the teaching and example of Andrew Jackson. For twelve successive years he canvassed the mines, mountains and plains of California, in the interests of the National Democratic party, and crossed the Isthmus of Panama twenty-four times, during that period, exhibiting an almost supernatural energy and perseverance.

The condition of California was exceptional. The sudden discovery of the precious metals; the extraordinary productivenes of her soil; the splendid capacities of her harbors; the unparalleled influx of population and capital, had no precedent in history, and demanded of its representatives corresponding ability, influence and address. Mr. Gwin, from the outset, had many difficulties to encounter. The self-inaugurated and unauthorized Convention of California, and the advent of her Senators, took the whole country by surprise. It was repugnant to all precedent, and by many was considered disorganizing and revolutionary, and can, unquestionably, only be excused by the phenomenal condition, at that juncture, of the people on the Pacific. Positive laws, as well as political usages and precedents, must sometimes yield to inexcusable popular necessities. The National Congress, and the people it represented, were, at that crisis, divided into hostile factions on momentous issues every day becoming more aggressive and menacing, and he who fraternized with one was sure to incur the hostility of the other. The friendly aid of both parties, and of all factions and cliques, was indispensable to California. Without sacrificing his principles, or surrendering, or even weakening, his life-long connection with the democracy, Mr. Gwin, as Senator, contrived to maintain friendly relations with men of every shade of opinion. As he had become a favorite with Mr. Calhoun after having aided Gen. Jackson to crush nullification, so, it is well known, he secured the friendship of Mr. Seward, while voting on opposite sides, every day, in the Senate. This eminent statesman, whose career is a problem, and who was so much of an actor, that it is to this day a question, as to what were his real sentiments on many vital issues, and of whom we may say—

> "Too bad for a blessing, too good for a curse,
> I wish, from my soul, thou wert better or worse"—

supported all Mr. Gwin's measures.

Mr. Seward, it will be seen, when the secret history of that eventful period shall be fully disclosed, was not placed at the head of Mr. Lincoln's cabinet, without very pronounced opposition. Many of the radicals distrusted his tendency to conservatism, and the great body of them had no fancy for his culture and social proclivities. He was, by long odds, the ablest man in the conglomerate party that elected Mr. Lincoln. Though occasionally wild, metaphysical and oracular, he was always in his proper element, and stronger and more impres-

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sive, when standing on the broad, national doctrines of the old whig party—doctrines which, had they been adopted in time, would have averted secession. Mr. Seward, against his own convictions, was swept along by the resistless flood of radicalism, and by the war that followed; but there is reason to believe that he often saw, and deeply deplored, the excesses and crimes that were committed, in the name of liberty and the constitution.

Senator Gwin, of California, strange as it may seem, had several interviews with President Lincoln, to urge Mr. Seward's appointment to the Premiership, which was not agreeable to the extreme radicals. And he also acted as the intermediary between Secretary Seward and the commissioners of the Confederate Congress, to confer with the incoming administration on terms of peace and reconciliation. He thought then, and now thinks, that President Lincoln, and Mr. Seward, if left to themselves, would have effected a restoration of the old relations, with some proper concessions and securities on both sides. But they were dominated by other cabinet members, of more ultra and inflexible opinions, and by an irresistible outside pressure. What can one man, or a dozen men, however eminent, accomplish against a party, counting its numbers by millions, and frantic with excitement?

In 1863 Mr. Gwin was in Paris. The recognition of the Confederate government by France and Great Britain was under consideration in the cabinet of the Emperor. At a dinner given by W. W. Corcoran, the Washington banker and philanthropist, at which were present Messrs. Mason and Slidell, the Confederate plenipotentiaries to Great Britain and France, Mr. Gwin, and a few others, the Marquis de Montholon stated that the Emperor favored the recognition of the new government, but that he could not move in the matter without the co-operation of Great Britain. The nobility and the commercial classes there favored recognition, but the Queen was averse to it. He said if Messrs. Mason and Slidell would address an assurance to the Minister of Foreign Affairs, that the Confederate government would certainly inaugurate measures for immediate or gradual emancipation, the recognition by France and Great Britain would soon follow. But both the plenipotentiaries disclaimed any authority to make any such overture, and discouraged the proposition.

"Whom the Gods wish to destroy they first make mad."

The Marquis, whose confidential relations with the Emperor were well known, had many conversations with ex-Senator Gwin about California, and the adjacent provinces of Mexico. Subsequently, he was invited to several private audiences with the Emperor, who seemed deeply interested, had military and geological maps before him, and made many notes during these conferences.

The French army, under Gen. Bazaine, was then occupying Mexico, under the pretext of adjusting certain large claims held by Frenchmen on the government of Mexico. The Congress of Notables of Mexico had recently offered the empire to Maximilian, and the French Emperor had approved the offer.

On the invitation of the Minister of Foreign Affairs, Mr. Gwin drew up a plan for the colonization of the northern provinces of Mexico,

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with the view to mining and agriculture, protection of colonists against Indians, and against the jealousy of the Mexicans, who are inimical to all foreigners, and especially to Americans. Immigrants were to be invited on liberal terms, and on the guarantees of the two imperial governments. The programme of a colony, essentially French, was complete in all its details. It was discussed, article by article, in a cabinet council, in the presence of the Emperor, and approved with only one or two verbal modifications. It was next submitted to Maximilian, who was then in Paris, preparatory to his departure from Europe. He requested Mr. Gwin's attendance at the Tuillieres, and after prolonged and minute inquiries signified his approbation, and declared the enterprise should be cordially supported. He said he desired American immigration into that quarter; that it would be a bulwark for the new empire at its weakest point. These were likewise, the views of Louis Napoleon, who saw in the vast mineral resources of Sonora and Durango a second California, to be protected against the Apaches by American pioneers, while the mines were being developed by French capital.

Two weeks after Maximilian left Europe for his new empire, Senator Gwin sailed for Vera Cruz, with an autograph letter from Napoleon to Gen. Bazaine, directing him to furnish the proper military aid in executing the projected colonization. Mr. Gwin was presented to the General by Marquis de Montholon, and delivered his credentials. He was not pleased with the interview. He found there was an absence of confidence—*entente cordial*—between the new imperial governmert and the French military. The General did not directly discourage the projected colony, but, diplomatically, cautioned him to have no intercourse with the Mexican authorities; not even to wait upon the Emperor; that he was surrounded by spies and traitors, and was blind to their intrigues; that they were stirring up jealousies against the French and their General, but he would soon show them who had the control. With this bravado, and evidently evading any specific arrangements, he terminated the interview. Mr. Gwin next asked an audience of the Emperor, and received a note from his Secretary that his Imperial Majesty was about starting on an excursion, and would receive him on his return, and meanwhile desired him to confer with the ministers of Foreign Affairs and of the Interior. Two formal attempts at an interview with the first of these dignitaries resulted in failure; and the ex-Senator very justly inferred that these Mexican advisers of the new Emperor were no friends of the proposed colony, and especially to the American element in it.

In the meantime, the misunderstanding between the Imperial government and the French army of occupation, especially in regard to the interference of the latter with the collection of the revenue, continued and increased. The summer of 1864 passed in abortive attempts to obtain a military escort to Sonora. Bazaine made repeated promises, but when the moment arrived interposed some new obstacle, until Mr. Gwin concluded that the French general, with limited abilities, had unbounded ambition, cherished some secret design for his own future, and was not at all reliable.

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He returned to France in January, 1865, sought an early audience with the Emperor, in which, with the freedom of an American, he exposed the condition of affairs in Mexico. He told him that Maximilian was unequal to his high position; that he had no force of will; no faculty for command; no adaptability; no influence or power beyond what was derived from the French army, and the countenance of his Imperial Majesty. That he was a paper sovereign, and should be so treated, not as an independent sovereign, but as a feudatory of France.

Napoleon listened attentively, but replied that that condition could not be realized, and that the new Emperor's dignities must be maintained. He expressed much interest in the proposed colony, said he had given it much thought, suggested some modifications, and desired Mr. Gwin to submit a new profile of the scheme, on an enlarged scale, so as to embrace one or more available provinces. This was done, examined, discussed, and approved, and the Emperor urged his immediate return to Mexico, with a peremptory order to his General-in-Chief to supply the necessary troops. Armed with this mandate, Mr. Gwin returned to Mexico, with no faith in either Maximilian or Bazaine. The new Emperor was a man of culture, fond of the fine arts, and a connoiseur in pictures—nothing more, and of all men then living was least qualified to rule the Mexicans. Though a rigid Catholic, devoting much time to processions and ceremonies, he was soon in open conflict with the hierarchy of Mexico. He squandered his salary, of a million and a half, in empty pageantry, while the people were scourged by famine; and he surrounded himself with guards splendidly equipped, while every highway in the empire swarmed with ragged beggars and brigands.

As for Bazine, who had just received the baton of Marshal of France, Mr. Gwin found him celebrating his new dignities and his marriage with a girl of sixteen. It was impossible to divert him from his pleasures, and every day he made new excuses for not obeying the orders that had come from France. The Emperor Maximilian, to evade his share of responsibility, set out on another excursion!

At length, the Mexican journals began to ventilate the project, and it was denied that the Emperor Napoleon had given any authority to encourage or execute such a plan; that it infringed on the sovereignty of Mexico, and could not be allowed. Mr. Gwin called on Marshal Bazine to notice these allegations. His answer was that he dared not do so; that Maximilian, doubtless, inspired these commentaries; that he had lost faith in the Emperor Napoleon; regarded Mr. Gwin as his emissary, and believed that should he and his followers get a foothold in the northern provinces, they would soon subvert the empire. And finally, that, if the French army in Mexico supplied troops for such a colony, he, the Emperor, declared he would return to Europe.

In this, it must be conceded, Maximilian was not far wrong. He had formed or imbibed from his Mexican advisers, a rather accurate conception of Anglo-American enterprise, and the probable result of an American colony, armed with Spenser rifles and Bowie knives, receiving accessions every day, and with such a man as William M. Gwin, a

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protege of Andrew Jackson, a Tennessee-Mississippi-California-American in command! No wonder the Imperial dawdler trembled in his slippers.

However, Mr. Gwin had no such programme on his slate at the time. His object was to rescue the country from the savages, protect all our exposed frontiers from their bloody incursions, and to develop the richest metallic region of the world. A grand enterprise, the conception of a great and original mind. Seeing, however, that it had failed, and that great changes were impending, Mr. Gwin demanded an escort to take him out of the country, which was promptly furnished. On taking leave of the Marshal he said: "I hope your guard will secure me safe deliverance out of Mexico, and unless you and the Emperor leave very soon, I doubt if you will be permitted to go." Words that soon proved prophetic in the case of Maximilian.

The idea of Louis Napoleon was to extract from these northern provinces metal enough to extinguish the Mexican national debt, guaranteed by France, and to give stability to his new creation, the new Mexican empire.

Here we close this sketch of the Hon. Wm. M. Gwin, who was so long and so prominently connected with Mississippi, and since so conspicuous in the development of the Pacific coast. The incidents of his useful, eventful and patriotic life would fill a large volume. He resides at San Francisco, at an advanced age, in full possession of his mental and physical powers, surrounded by all the happy auxiliaries of family, fortune, hearth and home.

NOTE.—By the indefatigable efforts of this able Senator, California obtained a mint, a marine hospital, a floating dock, a minute coast survey of near 2,000 miles, lighthouses, a navy yard, numerous Indian agencies, the introduction of the United States Circuit Court system, regular mails from Panama to California and Oregon, authority for numerous mail contracts, a right of transit over the Isthmus of Tehuantepec, the reduction of postage on letters from forty cents to six cents, the appointment of a Surveyor General, provision for the adjudication of land claims, and the extension of the United States system of surveys, and division and sub-division of public lands, over California.

His speech, (or rather series of speeches, but which make one great connected argument on the bill, "to ascertain and settle the private land claims in the State of California,") was commenced January 2d, 1851, on his motion to strike out all after the enacting clause, and insert an entirely new bill, was made, chiefly, in reply to Mr. Benton, the author of the original bill. He occupied several days in its delivery, and won the victory over that great master of logic, history and parliamentary law. This speech exhibits deep research, and is a complete mastery of the British, French and Spanish land systems on this continent. It was learned, eloquent and demonstrative; may be studied with advantage by every lawyer, and by every student of history. Upon this speech Mr. Gwin may safely rest his claims as an enlightened statesman.

The following memoir of a distinguished man, remarkable for his successful career, and for his integrity and consistency, elucidates much of our history, and discloses many interesting incidents, that have not previously been revealed. The narrative of the enterprises set on foot, in Canada during the war, by Mr. Thompson, reads like romance, though perfectly authentic:

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Jacob Thompson.

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JACOB THOMPSON was born in 1810, in Caswell county, North Carolina. Entered the University of N. C. in his 17th year, where he continued for four years, always receiving the first honors of his class. Graduated in 1831. On the day of graduation, he was appointed one of the tutors of the college; and discharged the duties acceptably for eighteen months, when he resigned, and commenced the study of law, in the office of Judge John M. Dick, of Greensboro, and in eighteen months received his license to practice in the inferior courts. In 1835 he was admitted attorney and counsellor-at-law, in the superior courts of the State. In the same year he left North Carolina, proposing to settle in Natchez, which at that time was in the hey-day of its prosperity, and whose people were living in great luxury, and were believed to possess unbounded wealth. Just as he was leaving Columbus, Miss., to resume his journey to Natchez, his brother, Dr. James Y. Thompson, drove up unexpectedly, and induced him to dismount. He remarked that the Chickasaw Indians had lately ceded their splendid country to the government; that already a large portion of the lands had been surveyed; and that the Land Office had been located at Pontotoc, near the centre of the cession, and it was expected that a day for the sale of the lands would soon be proclaimed. That he was on his way there, and expected to buy land, and urged him to forego his trip to Natchez, and go with him. This chance meeting brought about his residence at Pontotoc. The Chickasaw cession embraced the greater part of that portion of country known as North Mississippi. The soil was fertile, the climate healthy; and the custom of the Indians of annually burning the woods had been so carefully observed that there was no underbrush, and the woods throughout presented the appearance of a well kept park, the scenery variegated and beautiful.

Soon after his settlement at Pontotoc, the Indian Agency was transferred to that point. The U. S. Land Office had already been opened there. Each Indian was allowed a reservation of land under the treaty, and as it was the policy of the government to remove them to the west of the Mississippi river, the greatest facilities were afforded them for the alienation of their lands. This brought together at Pontotoc, the Indians in great numbers, and capitalists and land speculators from all parts of the Union. The crowds were immense, and often turbulent. The Legislature had extended the jurisdiction of Monroe county over the whole cession, and the courthouse was about fifty miles from Pontotoc. At this distance from the seat of justice, surrounded by the unbroken forest, few felt the restraints of law. And of course the business of a young lawyer mainly consisted of office business, and that chiefly relating to conveyancing. As the Indians were daily receiving large amounts of money, and as they were, as a general rule, as improvident as children, money found its way into everybody's pocket. Every business prospered, and the greatest extravagance was everywhere practiced.

The first public question which divided the community, was in relation to a vote whether the State should endorse the Union Bank bonds, for $5,000,000, and the first speech ever made in the State by

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Mr. Thompson on any political question, was at a meeting at Pontotoc, for the purpose of favoring that policy, and instructing the representatives in the legislature to vote for the indorsement. Mr. Thompson opposed the resolution, in a speech of great force, which attracted much attention in that portion of the State, and elsewhere. He denounced, in the strongest terms, the banking mania which at that time was running riot over the State. He predicted that the sequence would be overwhelming ruin, and universal bankruptcy. He believed if the Union Bank borrowed this money, by virtue of the State's endorsement, and commenced operations, it would not prove an exception, and then appealed to the people to say if they were willing, by taxation, to make good this proposed endorsement, after speculators and gamblers had squandered the money. The feeling in favor of banks was, however, too strong, and the resolutions passed by a meagre majority. The argument used in their favor was, the more banks we charter, the more money we shall have, and the greater the amount of money, the greater will be the prosperity of the people.

In the year 1837 the legislature divided the Chickasaw cession into ten counties, attaching a portion of it to the old county of Monroe. A session of the legislature having been called, Gov. Lynch was applied to for writs of election for members of the House from each of these new counties. He declined to issue the writ, and in a public letter gave his reasons. The Democratic party was greatly incensed at this refusal, and as the constitution expressly provided that each county should be entitled to at least one representative, a public meeting was held to review the governor's letter, and to devise some plan for electing representatives independent of the governor. This meeting proved to be a trial of strength of the two parties in the county of Pontotoc. Mr. Thompson was on this occasion the champion of the Democratic party, and was opposed by Wm. Y. Gholson, T. J. Word and others. The discussion at the first meeting was extended into the night, and, as no vote could be taken, an adjourned meeting was held, at which the opponents of Gov. Lynch's views prevailed by a handsome majority, and Mr. Thompson was elected to draw up an address to the Chickasaw counties. A very large edition of this address was printed and distributed. Soon after this the bar of North Mississippi very generally called on Mr. Thompson to submit his name to the people as a candidate for Attorney-General of the State. He accepted the nomination, although a comparative stranger in Mississippi. In this canvass he was defeated by a very small majority, but in the counties where he was known, although party spirit ran high, he received nearly a unanimous vote. He was present at the organization of the first circuit courts in nearly all the new counties, and aided in the same, and his practice from that day became extensive and remunerative.

In 1837 there was a general suspension of the deposit banks, which forced President Van Buren, who had been inaugurated on the previous 4th of March, to call an extra session of Congress. Under a regular writ of election issued by the governor of the State, John F.

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H. Claiborne and Samuel J. Gholson were duly elected. They appeared and took their seats, and were declared duly elected for that Congress by the House of Representatives. At the fall election in November, notwithstanding this decision by the House of Representatives, Sargeant S. Prentiss and Thomas J. Word stood a canvass, (the sitting members not appearing in the field) and were elected members of the same Congress. This led to a most exciting contest, which resulted in setting aside both elections, and remanding both parties to a new election by the people. After a heated canvass, Prentiss and Word were returned to the House of Representatives.* Early in the year 1839 the Democratic party met in convention. The defeat of the preceding year, the gloom which overhung the State, owing to the universal distress occasioned by the suspension of all the banks, the supposed strength of the banks with the people in despite of their suspension, and the newness of the radical issue which the Democratic party was bound to present, that the banks must resume or forfeit their charters, greatly dampened the ardor of the members of the convention. They made nominations, but they had faint hopes of success. A. G. McNutt was nominated for governor, and Albert G. Brown and Jacob Thompson for congress. The canvass was thought to be desperate, and nothing but a determination to stand by their party, and abide the issue, induced the nominees to accept the nominations. With a hearty good will they entered the field, and each made a canvass of the State. The shameless mismanagement of the banks, and the ruin and distress which they had brought upon the country, whenever exposed, excited the resentment of the people, and the indignant cry of resume or forfeit, was re-echoed throughout the State. The nominees of the Democratic convention were elected by handsome majorities. Brown and Thompson were both young men, but they conducted the canvass with marked ability, and to the entire satisfaction of their party. To show how distinct party lines were drawn, and how well the parties of the country were, at that time, balanced, the following incident may serve to illustrate: The election was held in November; the session of Congress began on the first Monday of December. As we had no telegraphs, and no railroads, the returns from the different parts of the State came in slowly, and in case of a close contest, it often required full six weeks to determine the question of election. President Van Buren wrote to Gov. McNutt that the members from Mississippi, if Democratic, should be in their seats at the opening of Congress. By special runners the returns were collected, and as soon as it was known that Brown and Thompson were elected, couriers were dispatched to them with their credentials, with a letter informing them of the necessity of their presence at the opening of Congress. The courier found Mr. Thompson at one o'clock at night, and he left for Washington by day-break next morning, and arrived on Monday morning, took his seat, and on the first division his vote tied the House. If was on the New Jersey contested election

* Mr. Gholson had declined, Mr. Claiborne down with hemorrhage of the lungs and unable to canvass.

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case.* A majority of the popular vote had been given to the Democratic members, and the certificates of election had been given to the Whig candidates. This question produced a great acerbity of feeling, and engrossed the attention of Congress for the larger portion of the session of 1839 and 1840.

The people of Mississippi had but lately settled on the public lands, and the cases of difficulty in perfecting titles under the pre-emption laws, the irregularity of the public sales, and the conflicts with Indian locations of land, were innumerable. New settlements had been made in almost every portion of the State, and therefore new post-routes had to be established, and new post-offices opened. By emigration, pensions had not been regularly received, and the pensioners' rolls had to be changed and corrected. A vast number of contracts for the survey of the public lands, and for carrying the mails, had to be adjusted and settled. With a constituency so many of whom had business directly with the general government, which was so far removed from them, the correspondence of the representative was necessarily voluminous. To this business Mr. Thompson assiduously devoted himself, and the services he rendered, and the success which attended his labors, made for him hosts of friends throughout the State. After this period his popularity was greater than his party strength.

In the summer of 1840, Mr. Thompson returned home to participate in the stormy Presidential canvass between Van Buren and Harrison. He traversed the larger portion of the State, giving to Mr. Van Buren an earnest support. But the administration was held responsible for the pecuniary distress which prevailed everywhere throughout the United States, and General Harrison swept over Mississippi, and the country generally, like a tornado. In 1841, Mr. Thompson desired to retire from public life and devote himself to private business, but, when the Democratic Convention convened, he was unanimously re-nominated for Congress, and Gen. Brown having positively refused to stand another canvass, Dr. William M. Gwin was nominated as his colleague. President Harrison survived his inauguration but a short time, and John Tyler became the President. An extra session of Congress was called, and the great issues raised during that session became those of the canvass for the most part. Yet there was a question forced upon the people during the summer of 1841, on which every candidate was compelled to take position. The Union

* While the writer was a representative in Congress, and parties were nearly balanced on the Independent Treasury question, there was an exciting contest for a seat between General Graham, of North Carolina, the sitting member, and a Democrat whose name is not remembered. General Graham was a pronounced Whig, and a prominent member. The contest had been going on six weeks, a large volume of testimony had been taken and printed, and the committee had just made their report adverse to Graham. The writer had been down with hemorrhage during all this time, and had not been in his seat five minutes before he was called on for his vote. He asked to be excused, but there was a general *No! No!* on the Democratic side. He then said, he regarded all contests of this character as judicial, to be determined by the evidence exclusively. That he had not heard any of the debates, or read one word of the printed testimony, and was not qualified to vote. He asked time for examination, or to be excused. But if the House refused his request, and coerced his vote, then he should cast it for the sitting member, who was *prima facie* entitled to the seat. *He was excused.*

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Bank had become utterly bankrupt; the bonds of the Bank which had been endorsed by the State, and with which the Bank had raised the capital on which it had run its brief career, had been dishonored, and the State was called on to make good its endorsement. The Governor had refused payment, on the ground that the State was not legally or morally bound, and an appeal was made to the people. Mr. Thompson, being a candidate for Congress, was called upon for his views, and in a letter to Mr. Webster, of Vicksburg, he maintained that the Governor was right in his refusal to admit the binding obligation of the State's endorsement. This letter stated the whole case with so much clearness, force and eloquence that it satisfied the public mind, and from that day to this no one has been or could be elected to any position of honor by the people of the State, who did not endorse the sentiments of that letter. The succeeding Legislature, in proclaiming the position it took in regard to the Union Bank Bonds, embodied in substance the whole letter. In November the nominees of the Democratic party, Thompson and Gwin, were elected Representatives in Congress. During the ensuing session, offensive allusion having been made, on the floor of the House, to the course which Mississippi had taken in reference to these bonds, Mr. Thompson denounced her traducers, and delivered a masterly speech, which put a stop to all sneers and jeers, or objectionable epithets for that session. In 1843 the representation from the State was increased to five members in the House of Representatives. When the Democratic Convention met, it again unanimously nominated Mr. Thompson for Congress, with W. H. Hammet, T. H. Tucker, and Col. R. W. Roberts, for his colleagues, and in the fall they were duly elected.*

Early in 1844 the annexation of Texas became the prominent question. This was made more especially an issue after the celebrated letter of Robert J. Walker, Senator from Mississippi. Mr. Clay and Mr. Van Buren had been called on for their views. Mr. Van Buren was then not only the acknowledged favorite of the Democratic party for re-election, but it was conceded that in equity and good faith he was entitled to the nomination. Well knowing the controlling agency

* Col. Roberts was a native of Delaware. As soon as he attained his majority he removed to Tennessee, carrying with him the slaves that he had inherited from his father's estate. Before he left Deleware he had fought two duels, married and was the father of a fine boy. He was just the man for Tennessee and Andrew Jackson, and they soon made him a Circuit Judge, and would have sent him to Congress, but he followed the tide of immigration to the rich lands of North Alabama, and from thence moved to Mississippi. He was a leading member of our Legislature, presided as Speaker with marked ability, and was a master of parliamentary law. It used to be said that he slept with old Hansard under his head. No one ever successfully appealed from his decisions. He was an impromptu, forcible, and sometimes a very fiery debater, with an eye, and manner that meant business. As a man of honor, a patriot, a good citizen, a true and conscientious and skillful party leader, we have never had his superior.

Hammet was a handsome adventurer from Ireland, of classical education and insinuating manners. He had been, at some period of his life, a Methodist preacher, and must have been rather fascinating. But, as seen by the writer, there was little of the ecclesiastic in his appearance, manners or habits. He was a man of literary tastes, of polished address, and a handsome and fluent speaker.

Since his death it has been doubted whether he was ever naturalized under the laws of the United States as a citizen. See Acts of Missisippi Legislature, 1861, 58 page.

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this question would have on the Convention—that it could be used and perverted by ambitious leaders—and that acquiescence in annexation would secure his nomination, he nevertheless responded only to his honest convictions, and pronounced against it. The effect was electrical. The Convention adopted the two-thirds rule specially to defeat the nomination of General Cass, who had given in his adhesion to the annexation policy, but was by no means their choice. Mr. Robert J. Walker was the active manipulator of that memorable Convention. He was himself aspiring to the Presidency, in the future, and it was by springing this question of annexation, and the adoption of the two-thirds rule, that he secured the nomination of a man not previously thought of, and whose successor he proposed to be. Mr. Polk gave an unasked for and voluntary pledge not to be a candidate for re-election, and Mr. Walker selected for himself the Treasury Department, which would open the door of the Presidency for him afterwards. Mr. Polk regretted his pledge almost as soon as he had made it, and was shrewd enough to perceive the game of his most active supporter.

It was on this occasion that the illustrious statesman of Kentucky gave a sublime instance of political integrity. He had seen the downfall of Mr. Van Buren from the honest confession of his opinions. He had witnessed the nomination of an untried man, of the second class of politicians, and of vulnerable antecedents. And he knew that one word in favor of annexation, a qualified assent, or a slight modification of his opinion, would secure his election to the Presidency, by acclamation, but he refused to yield. He wrote his own sentence of exclusion from the supreme magistracy of the Republic, and then and there predicted the eventful consequences that have followed. That was the crisis in Mr. Clay's political life. He had then no peer in the United States. If not superior to Mr. Webster intellectually, he was far ahead of him as a statesman, and practical politician, and in the affections of the people. His candor, courage, and thorough Americanism, endeared him to the millions, and thousands of Southern voters in the Democratic party, who had been in opposition to him, would have gladly seized that occasion to give him their support. Mr. Van Buren and Mr. Clay sacrificed their opportunity to their convictions, and for the first time in our history the Presidential chair was filled by a man not thought of by the people, working in the harness of a caucus, and riding into power on a single issue. On that single issue, without having been even dreamed of for the Presidency, he defeated Clay, Van Buren and Cass, the three grandest figures then in public life. He was constitutionally a timid man, and only bold when supported by others bolder than himself. He had a vigorous cabinet, and the achievements of our army in Mexico gave strength and *e'clat* to his administration; but he can only be regarded as a man of mediocrity, who rose to power in the train of Gen. Jackson, exempt from positive vices, remarkable for his prudence, and a thorough master of the strategy of politics. With all the power and patronage of the Government, (greatly augmented by the war) and with the lustre of victory and vast territorial acquisitions reflected on him, he nevertheless wit-

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nessed, before his term expired, the decay of his popularity, and no one, but himself, hoped for his re-election. He owed his nomination more to Messrs. Walker, Gwin and Thompson, of Mississippi, than to any others in the Convention. Mr. Thompson and Mr. Gwin took an active part in securing the Treasury Department for Mr. Walker. This was by no means an easy matter. The Van Buren wing of the party, though they could not secure the nomination of their chief, was too powerful and too essential to be disregarded, and they desired to suggest the man for the Treasury, and Mr. Polk desired it also, to strengthen himself. But the pertinacity and firmness of Mr. Walker and his friends, amounting almost to a menace, forced him to succumb.

Mr. Polk had carried the vote of New York, by Mr. Silas Wright consenting—very much against his inclinations—to become a candidate for Governor and to canvass the State. That great man and able politician was then at the zenith of his popularity and influence. And he unquestionably secured the election of Mr. Polk. Mr. Polk had no rightful claim to the vote of Louisiana. It was given to him by fraud, yet from the moment he went into office he was merely coldly courteous to Mr. Wright, from a jealousy of his popularity. The Secretary of the Treasury discouraged no intimate relations with statesmen likely to become formidable.

When Mr. Walker's position in the cabinet was settled, and he notified the Governor of Mississippi that he should vacate his seat on being nominated and confirmed, the Governor (Brown) made out a commission appointing Mr. Thompson, and sent it to Mr. Walker to be delivered as soon as the vacancy occurred, so that Mr. Thompson could occupy the seat at the extra session of the Senate that always occurs after the 4th of March, and the inauguration of a new President. Mr. Walker, in due time resigned, but failed to deliver the commission to Mr. Thompson, or even to mention that he had it. This extraordinary incident produced a breach between them that was never repaired. Mr. Thompson returned home to find himself re-nominated for Congress by acclamation. Governor Brown again offered him the commission of Senator, but he deemed it his duty to decline. He was elected to the House of Representatives by an overwhelming majority. As chairman of the Committee on Public Lands at the preceding session, and now as chairman of the Committee on Indian Affairs, he had been very efficient and influential.

The settlement of the northwestern boundary on the line of latitude 54, 40, or on 49, the Mexican war growing out of the annexation of Texas, and the acquisition of new Territory, and the passage of the revenue tariff bill, were the great measures of this Administration. On all these Mr. Thompson made impressive speeches, and no member of the House exerted a larger influence. The State was laid off into congressional districts in 1847. Mr. Thompson fell into the Northern District, and the Democratic Convention insisted on his returning again to Congress from that District in 1847. On his return to Congress he was again appointed chairman of the Committee on Indian Affairs, and served in that capacity for two years. In 1849 the Whig

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party brought out Gen. A. B. Bradford, of Marshall, a very popular and influential citizen, for Congress, and Mr. Thompson's friends refused to allow him to withdraw, and again he stood the canvass in that year and was elected. These two years ending on the 4th of March, 1851, completed the term of twelve years of continued service in the House of Representatives.

Mr. Thompson, though comparatively a young man, began now to be considered one of the Fathers of the House. Cautious and deliberate in taking positions on all new issues, yet firm and resolute in maintaining them, he was ever consistent, and became a leader on whom the most implicit reliance could be placed. Always prudent, yet firm and determined, sure of his position and well able to defend it, no constituency was ever served with more fidelity, honesty and efficiency, and none ever trusted a representative with more constancy and confidence. He was never known to dodge an issue, or fail to maintain the course he advocated, or prove untrue to a colleague or political friend. But the time was coming in which he was to be still more thoroughly tried. In 1850 the compromise measures were passed, which admitted California as a State, and provided Territorial Governments for New Mexico, Utah and Arizona, and prescribed the northern boundary of Texas. Mr. Thompson had opposed these measures; and the issue made up at home was either to advocate these measures or insist upon disunion, and he knew well that his constituents would not at that time favor disunion.

Mr. Thompson having previously openly announced his determination to retire, published a masterly review of these measures, and avowing his determination to withdraw from another canvass for Congress. He deprecated the issue which had been made by his friends, but made known his willingness to stand or fall with them. When the Democratic Convention, in 1851, met and looked for a candidate to fill his place, they failed to come to an agreement upon any one, and finally unanimously resolved that the party needed the use of his name and services in that canvass, and adjourned. Friend after friend appealed to him to run for Congress, and to let the general ticket take care of itself, and the people would take care of him. Under these circumstances he reluctantly consented, but instead of taking care of himself, he undertook to carry the whole ticket through his district, which proved a weight too heavy amid the storm which had been raised, and he, and all his ticket, were defeated in this canvass.

In 1852 Mr. Thompson became a delegate to the Baltimore convention, and contributed as much, perhaps more than any one of its members, to the nomination of Gen. Franklin Pierce for the Presidency, one of the purest and best men that ever occupied the office. He served on the committee to carry to the newly nominated President the news of his selection, and to receive from him his acceptance. During the incumbency of President Pierce, Mr. Thompson was tendered the consulship to Cuba, an important, and supposed at the time to be a most profitable office, which he respectfully declined. During the canvass of 1855, his friends throughout the State insisted upon his becoming a candidate for the U. S. Senate. He consented that his name

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should be used, and a majority of the members, it was supposed, favored his election. But there were other aspirants who had their followers, and to preserve the harmony of the party, when great issues were pending and southern unity indispensable, it was decided, in caucus, to nominate Col. Jefferson Davis, who had not been seeking the position.

In 1856 he was again a delegate to the Presidential convention which met at Cincinnati in that year. He was the open and active supporter of Mr. Buchanan, of Pennsylvania, for whom the nomination was finally secured. After the election President Buchanan invited Mr. Thompson to become a member of his cabinet, and take charge of the Department of the Interior. This position Mr. Thompson accepted and entered on the discharge of his duties in March, 1857. When he took charge of the department he found it a mere aggregation of Bureaus, having jurisdiction of different branches of the public service, working independently, without concert, and apparently without control, making the Secretary a mere figure-head. It consisted of the Bureau of Public Lands, Indian Affairs, Patents, Pensions, the Census and Statistics, and the Commissioners of Public Buildings and Grounds. And it had often happened that the commissioner of one of these Bureaus would recommend in his reports one policy for Congress to adopt, and the Secretary another, and out of this state of things arose divisions, weakness and confusion. Mr. Thompson determined to stop this irregularity, and introduce a system which promised unity and efficiency. He first made known his views to the President, who cordially sanctioned his policy, and promised his support. He then called together the several commissioners and made known his wish to make the department a unit, and for that purpose it must have one head. He hoped he would have the cordial co-operation, and the frankest interchange of opinions and views of all his associates. All appointments to and removals from office would be made by the Secretary. Each Bureau would be expected and required to take hold of and dispose of all old cases, and be ready to dispatch all current business, and when any policy was to be recommended for the action of Congress, the freest discussion and interchange of views would be invited, and the subject well considered; but when the Secretary decided the course to be recommended, all had to advocate and sustain his views or resign their positions. An appeal clerk from each Bureau would be appointed, and the final decision of the Secretary would be the law of the case, so far as the department was concerned. These avowals at first led to some commotion, and although there was an advance expression of acquiesence, yet practically the machinery seemed for awhile to work heavily. The result was he lost two of his ablest commissioners, but their places were soon filled with successors of equal ability; cheerfulness and harmony prevailed in all the Bureaus. The Secretary being a working man, the whole corps of clerks caught his spirit, and in twelve months nearly every old case had been disposed of, and the different offices were fully up with current business. The result was, the department grew in favor and popularity with the whole country. No recommendation

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made by the Secretary but was readily adopted by Congress. There was in no quarter, notwithstanding its many and varied transactions in all parts of the Union, the first suggestion of fraud or corruption or any intimation of undue influence in any of its decisions. The volumes of the decisions of Secretary Thompson in land cases alone, were larger than the volumes of the opinions of the Attorney-General.

Just at the close of Mr. Thompson's administration of the Interior Department an act of treachery and bad faith to the head of the department was committed by one of his trusted clerks, which occasioned gross and malignant charges against him. By law, the Secretary of the Interior was the custodian of the Indian Trust Fund. The fund amounted to more than $3,000,000, and consisted mainly of the bonds of different States. Ever since the organization of the fund, it had been the custom of the head of the department, to leave the actual custody of the bonds in the hands of a clerk of the Indian Bureau. Mr. Goddard Bailey, who came to Washington from Alabama, having been brought up in South Carolina and connected by family relationship with the best people of the State, and also a man of decided talents, had been appointed Appeal and Disbursing Clerk of the Indian Bureau, and was directed to take charge of this trust fund, and for nearly four years discharged its duties in a satisfactory manner. While he was thus engaged a great western company, under the name of Russell, Majors & Waddell, entered into a transportation contract with the War Department, which amounted to millions. Their resources were thought to be almost unlimited, and their operations were on a magnificent scale. Their funds, however, running short, application was made to the Secretary of War, for permission to anticipate their earnings by drawing drafts on the Secretary, and his accepting the same. In an evil hour the Secretary of War yielded to this solicitation, and accepted drafts to a large amount. The drafts were known, in moneyed circles, as acceptances of the War Department. For awhile money was raised upon them, and they were floated by capitalists. But in the year 1860, it seems, the earnings of the Transportation Company were not sufficient to bear up the great load upon it. It was then that the leading member of the firm made the acquaintance of Mr. Bailey, who had the custody of the Indian Trust Fund, and persuaded him to let him have, in the most secret manner, $150,000 of these bonds, and take in lieu of them the notes of Messrs. Russell, Majors & Waddell. The avowed object was to save the Secretary of War from protest on his acceptances. This was in July. In October, 1860, Russell again appealed to Bailey for more securities, to save the credit of the Secretary of War, and to enable him to control the bonds already received, so as to return them. Mr. Bailey again secretly took from the trust fund $387,000, taking the precaution first to clip off the January coupons, so as to escape detection. Again, Russell deposited with Bailey the notes of Russell, Majors & Waddell, as security for the bonds. In December, 1860, Russell once more applied to Bailey for aid to save the credit of the War Department, and at this time obtained from him 333 bonds, Bailey retaining the coupons. This time Bailey seems to have grown suspicious of the

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notes of Russell, Majors & Waddell, and required Russell to leave with him the acceptances of the War Department for the full amount of all these bonds delivered, which Russell succeeded in doing very promptly. In the meantime the Secretary of the Interior, having not the least thought that anything was wrong, called on Mr. Bailey to make out a full statement of all the securities on hand, and bring it to him for examination, and report to the proper auditing officers. This was promptly done, and the accounts were neatly made out as though every bond was in the safe. When the coupons were called for they were readily produced, and no one could have suspected that anything was amiss. But, suddenly, Bailey hearing that the Secretary would resign his position, reasonably presumed that, before doing so, he would order his chief clerk, or some one else, to examine the safe, and verify its condition, then it was he sent to the Secretary his confession, and avowed his abstraction of the bonds, and explained his motive for committing such a crime. The moment it was made known to the Secretary, he called on the Secretary of State, and the Attorney-General, and went with them to the Department, and called around him three confidential clerks, and had the safe examined, and the criminal's confession tallied with the facts. The culprit was of course dismissed and handed over to the officers of the law. On the next day Secretary Thompson addressed a communication to the House of Representatives informing that body of the abstraction, and asking for a committee of investigation, and requested the Speaker to select for the committee only those who were known to hold political opinions adverse to the Secretary. This committee was appointed, and of the five upon it, only one belonged to the Democratic States Rights party. They gave the subject a thorough examination, and made a unanimous report. A single extract from that report will show the sentiment and feeling of the Committee.

"They," the Committee, "deem it but justice to add, that they have discovered nothing to involve the late Secretary, Hon. Jacob Thompson, in the slightest degree in the fraud, and nothing to indicate that he had any complicity in the abstraction, or that he had any knowledge of it until the time of the disclosure of Goddard Bailey."

At the time of this investigation and report, the greatest bitterness was felt and expressed towards all men of the South who made known their purpose to stand by their States. Such a verdict, at such a time, wrung from political enemies by the most unquestioned and unquestionable facts, ought to have silenced forever the tongue of slander. But it did not. Unprincipled men attempted, again and again, to fix the stain of fraud upon the Secretary, but this had already been answered by the report of the Committee. It seems, however, that when the world once gets hold of a lie, you may beat it in the head, and trample it in the earth, yet it seems impossible altogether to kill it.

In the year 1861, Abraham Lincoln was elected President of the United States. As soon as the result was known, several of the Southern States adopted measures looking to secession from the Union. Mr. Buchanan, in his December message to Congress, had taken the position that the States had no constitutional right to secede, and that Congress or the Government had no constitutional right to use force

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of arms to coerce obedience on the part of a State. But South Carolina, notwithstanding, precipitately passed her ordinance of secession on the 20th December, 1860. This action forced upon the Government the gravest possible issue, and greatly embarrassed the administration. Unwilling to give any sanction to the act of South Carolina, but still unwilling to plunge the Government into a conflict of arms, which would cut off all hope of compromising the difficulties, the only course or line of conduct left open for the administration was to agree to allow the *status quo* to continue, until Congress and the country should have time and opportunity to arrange some programme which would save the Union, and satisfy the disaffected States. Mr. Thompson, being a member of the cabinet, and from the State of Mississippi, which was then discussing the proposition of withdrawal from the Union, was placed in a delicate position. He made known to the President, and to his colleagues, that he felt bound to go with his State, but would adhere to the administration as long as peace could be preserved and bloodshed avoided. A mischievous movement, made by Major Anderson, without orders, brought up a perplexing question. On the 26th December he evacuated Fort Moultrie, and took possession of Fort Sumter. An appeal was made to the President to order him to return to his old quarters, which were regarded by Major Anderson as less desirable, and weaker than Fort Sumter. The President felt unwilling, now that the movement had been made, though without his authority, to order him to return. This, with other complications, led to the resignation of Gov. Floyd as Secretary of War. On the 6th January, 1861, Gen. Scott, the head of the army, fitted up the "Star of the West," with troops and military stores, to reinforce Maj. Anderson. Mr. Thompson was not made aware of this movement until the morning of the 9th January, and believing that it would necessarily result in a conflict of arms, and moreover, Mississippi having passed her ordinance of secession that same day, he sent in his resignation as a member of the cabinet. In severing his connection with the cabinet, and the Interior Department, simultaneous with the appearance of the "Star of the West" off the harbor of Charleston, with supplies and soldiers to relieve and strengthen Fort Sumter, and also the withdrawal of the State of Mississippi from the Union, the public mind was greatly startled, and it was obvious that a crisis was upon the country. Mr. Thompson's family were favorites in the fashionable circles of Washington, and his house had been the resort of leading men of both parties. He was personally extremely popular in Washington, and his resignation and departure were much regretted. On his arrival at home, a crowd of neighbors and personal friends met him at the depot, and received him with cordial greetings. In the formation of the Confederate Government, and in its organization Mr. Thompson took no part whatever. He went diligently to work to set his house in order, and prepare himself as well as he could, for the storm which he deemed inevitable. When troops were called for, he contributed largely and freely of his means to equip and prepare them for the field. His only son, C. Macon Thompson, became the quartermaster of the regiment com-

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manded by Col. Mott, but after holding the post until the regiment was regularly assigned to duty in Virginia, his son, preferring more active service, resigned the position and accepted a staff appointment from Gen. Longstreet, and actively participated in the battles of Bull Run and First Manassas. When Gen. Beauregard came out to take charge of the army of the West, and fixed his headquarters at Jackson, Tennessee, Hon. J. Thompson volunteered his services as an aid. He went with the army to Corinth, engaged actively in the two day's fight at Shiloh, went with the reports and trophies of that battle to Richmond, and returned to the army at Corinth until the retreat to Tupelo, where he had been sent in advance to select the camping ground for the army. When the army reached there, the campaign on that line evidently was ended, and Mr. Thompson returned home. But soon Gen. Villipegue invited Mr. Thompson to the post of lieutenant colonel in what was known as Ballentine's regiment. He remained on duty with the regiment for some four months, until after the retreat of the army of the West from Tallahatchie river to Grenada. On that retreat, in a charge at Water Valley, where the enemy had massed for the purpose of cutting off the cavalry, Mr. Thompson's horse was shot under him, but he escaped unhurt. The regiment was in the battle at Coffeeville, when the enemy was driven back with heavy loss.

On reaching Grenada, General Pemberton, who had just taken the command of the army of the West, sent for Mr. Thompson and insisted on his taking position on his staff as chief inspector of the army. When he reached headquarters he laid before Gen. Pemberton a suggestion that Gen. Van Dorn should be placed at the head of the cavalry, and ordered to move around Gen. Grant's army, then encamped at Oxford and cut the railroad in his rear, and force him to retreat. This suggestion was matured, the order issued, and most successfully accomplished. After the retreat of Gen. Grant from Oxford to Memphis, the attempt was made to invade Mississippi through Vicksburg; and the first project, to overrun the State by marching through it, from North to South, was abandoned. As soon as this design was known, it became necessary to change headquarters to Vicksburg. General Sherman, with four divisions, made divers desperate assaults above the city from the Yazoo river, to break through our lines and enter Vicksburg from that direction. But in each attack he was driven back by Gen. Stephen D. Lee with heavy loss, and at last withdrew his forces up the Mississippi river. Mr. Thompson was present during these attacks, and afterwards was engaged in the battle of Baker's Creek. He returned with the troops into Vicksburg, and as the enemy was closing around us, Gen. Pemberton dispatched him to the headquarters of Gen. Johnston, who was then encamped at Canton. After the surrender of Vicksburg, Mr. Thompson retreated with the army to Enterprise, Miss., and as Vicksburg forces could not engage in active service until an exchange could be effected, Mr. Thompson returned home, and was, during the fall of 1863, elected to the Legislature of the State from the county of Lafayette. He served in the session which was held in Columbus. Afterwards there was a called session

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of the Legislature at Macon, in which he urged strong measures for the defense and protection of the State. At the close of the adjourned session, he received a telegram from President Davis calling him to Richmond, and advising him he must come prepared to go abroad. He promptly obeyed the summons, anxious to render any service in his power, to advance and maintain the Southern cause. On his arrival at Richmond he was informed that friendly parties from the West had been there, and given the authorities assurance that there were thousands of people in Ohio, Indiana and Illinois, who were weary of the war and desired a pacification. All these people needed was the means of organizing and arming, and as soon as they found themselves strong enough, they would demand of the government of the United States a cessation of hostilities for the purpose of readjusting all the questions between the North and South. The Confederate Congress had privately received these messengers, had fully conferred with them, and had voted a large appropriation, and directed the President to select and send on this mission one of our most discreet and reliable citizens, who should repair to Canada, and there or thereabouts, confer and advise with those who, in any way, sympathize with, and were willing to carry out the proposed measures. When Mr. Thompson was advised that he was expected to enter upon a secret mission, and to be entrusted with the secret service fund, with no requirements to furnish vouchers for his expenditures, and no restriction on his discretion, he hesitated to accept the appointment. He saw at once how such a position subjected him to slander and misrepresentation by the unscrupulous, and how meager were the opportunities afforded for doing what would reflect honor or credit on himself. But difficult and embarrassing as was the mission, hopeless as he considered it, and liable, as he knew he would be, to misconstruction, he felt it to be his duty to serve his country and her cause in any honorable manner and in any capacity. As soon as he signified his willingness to accept the appointment, his commission was made out and delivered; his instructions consisted of a night's interview and exchange of ideas with the President, and were only verbal. Mr. Thompson left Richmond for Wilmington, N. C., being instructed to seek to run the blockade from that point. The day after his arrival there he was informed the government had associated Hon. C. C. Clay, of Alabama, with him, and had appointed Maj. W. W. Cleary, of Kentucky, as Secretary. After the delay of a few days the party ran the blockade in the English steamer Thistle, and though chased by one of the blockading vessels, succeeded in reaching the Bermuda Islands. Thence they sailed in the regular English packet, Alpha, to Halifax, Nova Scotia.

At the date of arrival at Halifax, Gen. Grant, with an immense army, was moving down on Richmond, declaring "he would fight it out on this line, if it took him all summer." Gen. Sherman had taken up his line of march, endeavoring to outflank and drive Gen. Johnson back to Atlanta. The army of the Confederates were resisting their onward march with stout hearts and cheerful spirits. Mr. Clay being very much indisposed, Mr. Thompson, with the Secretary, pushed on to Montreal, where he remained a few days, to ascer-

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tain the feelings of the Peace party of the Northern and Eastern States. Intelligent and reliable friends from New York were sent for and visited him, but he soon found that the people of those States, being satisfied they were rapidly growing rich by the continuance of the war, were unwilling to join in any movement which had for its object the termination of hostilities. Therefore he went on farther west to ascertain the feeling in Ohio, Indiana and Illinois. There existed, at that time, a secret order in those States, whose membership was large, and whose original object had been personal protection against radical terrorism. The late C. L. Vallandingham of Ohio, was the grand commander, or chief officer of the associated societies of the three States, and at that time was at Windsor, Canada. Mr. Thompson, between whom and Mr. Vallandingham there had long existed the most friendly relations, soon learned from him the strength of the order, and the principles which united and bound them together. The enrolled membership in Illinois was 80,000 fighting men; in Indiana 40,000; in Ohio 40,000. Their articles of association declared that each State was sovereign, in the sense of the Virginia Resolutions of 1798–'99. That an invasion by the General Government of a State was unconstitutional, and without authority, and each member covenanted to stand by and defend the rights of every other member, as well as the constitutional rights of all the citizens of the United States. Mr. Thompson was invited to become, and did become a member of the order; and as soon as he familiarized himself with its workings, he employed and sent a confidential party to visit the societies, wherever they had been organized, with the information that the Confederate prisoners at Chicago, and Rock Island, numbered about 15,000; at Indianapolis about 5,000; and at Johnson's Island about the same. It was exceedingly desirable to release these prisoners, and return them to their respective commands in the Southern States. That the United States Government had persistently refused to exchange prisoners of war. That every day he was notified of the sufferings of the prisoners, and that humanity as well as the obligations of the brotherhood, demanded a concerted effort in their behalf. He desired the aid and co-operation of the Order. That he could organize and arm the escaped prisoners, who were good soldiers, and would delight in a stirring adventure. They were sufficiently strong to overcome the guards, and all that was needed was a force to protect the prisoners until they could be armed and embodied. His agent, James A. Barrett, returned with the answer that with some additional arms and transportation money, they were ready and willing to co-operate. The escaped prisoners were organized and armed, and were ready at a given signal to repair to their respective posts. Day after day was appointed as the time for meeting, and making the attack. But before the appointed time rolled round, a message would come from the leaders that they could not *at that time* bring up their men. Concert of movement, and concentration, seemed almost impossible. The leaders expressed the greatest confidence in their men, and the greatest readiness on their own parts. Four times a certain day was designated and agreed upon for a simul-

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taneous movement on the prisons at Chicago, Rock Island, and Camp Chase, but on each of these several days, when the escaped prisoners, embodied and armed, looked for their allies, they failed to make their appearance. At last Mr. Thompson became thoroughly disgusted, and lost all confidence in the nerve and pluck of the leaders of the Order. Thereupon he organized a company of escaped prisoners for the purpose of releasing the prisoners on Johnson's Island. This Island is situated in Lake Erie, some three miles from the city of Sandusky. Between the city and the Island had been anchored the United States gun-boat "Michigan," carrying 14 guns. Every boat passing from the shore to the Island, necessarily passed under her guns. It was apparent nothing effective could be done, without having the control of the Michigan. The bold design was formed to surprise and seize her. Capt. Cole, an escaped prisoner, had made the acquaintance of her officers, and with some of them was on such intimate relations, that he proposed a certain evening for having a wine party on board at his expense. This was agreed to, and the preparations were made. The champagne was bought and ready to be sent over to the Michigan. This arrangement was communicated to Lieut. John G. Beale of the Confederate navy, and he had organized a band of twenty-two men to act under his orders. The party concealing their revolvers, went on board the mail packet Philo Parsons, from Detroit to Sandusky, as passengers, and, at an opportune moment, took possession of her, and put all on board under guard. To obtain a supply of fuel it became necessary to come to at Middle-Barr Island. While laying there the steamer Island Queen came in for the same purpose, and lashed alongside of the Parsons. She had on board many passengers and some thirty soldiers. Lieut. Beale and party sprung on board with their revolvers, and soon had possession of the steamer, and the soldiers and passengers in custody. These soldiers and all the passengers were paroled under a pledge not to leave the Island for twenty-four hours. When the boats had made some headway, they scuttled and sunk the Island Queen. This was the afternoon for Capt. Cole's wine party on the Michigan. But when they sighted the Michigan, the expected signal Cole was to have given was not made, and it was believed that something had gone wrong with him. And such indeed was the fact. By treachery he was betrayed at twelve o'clock in the day, and had been arrested and carried on board the Michigan. Expecting an attack the fires had been started in the furnace, and when the Philo Parsons came in sight, instead of surprising, they were surprised to find the Michigan apparently ready to weigh anchor, and pursue them. To attack her was hopeless, and a mere act of desperation. So the Philo Parsons was compelled to return, and land her brave men on the Canada shores, and let the owners of the steamer take possession of her. This bold but abortive movement led to such a strengthening of the guards around the several prisons, and such strict and rigid surveillance, that further efforts to release the prisoners were impracticable. Mr. Thompson then ordered the escaped Confederate prisoners in Canada to return home. Many of them were reluctant to do this, wishing to strike some blow at the

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enemy, in retaliation for the sufferings they endured at their hands, and the devastation and cruelties which their armies were then inflicting upon the South. It was in this spirit, and against the express orders of Mr. Thompson, that the raid was made on St. Albans, in Vermont, which involved the perpetrators in so much trouble. But when the United States demanded their extradition, the authorities at Richmond required Mr. Thompson to stand by these men, and to see they were properly defended. This of course it was his duty to do. And for performing this duty he was presented to the world by the radical press as an incendiary and assassin. He made no defense against these inflammatory misrepresentations, trusting to time for a just judgment on his motives and actions. He waited on the Canadian Cabinet to say that if at any time, or in any way, he had violated their laws, or abused their hospitality, he was then ready to answer and vindicate his conduct. But to his conduct, while in Canada, the authorities took no exception.

As soon as the trial of the Raiders was over, and they were released, Mr. Thompson set out on his return South. While he was on his way from Montreal to Halifax, President Lincoln was assassinated. The whole country, without distinction of party or of sections, felt outraged by the act. Andrew Johnson, the then Vice-President, succeeded to the Presidency, and kept about him the old cabinet of Lincoln. The public mind sought for some reasonable solution of the atrocious crime. And as the public scrutiny began to look to Washington, and to insinuate that those directly interested in President Lincoln's death would most likely be implicated in his assassination, it became necessary for the President, and his immediate friends, to direct the public attention to a different quarter, and therefore, the most unpardonable and damnable plot was conceived to charge the President of the Confederate States, and his commissioners in Canada, with deliberately planning and arranging this terrible crime. This dastardly and villianous plot could only be sustained by bribery and perjury. Willing witnesses were found, as they always have been found at such times; and men in high places did not scruple to pay out of the public funds, for what they well knew to be perjured testimony procured by their own bribes. A proclamation appeared, offering a large reward for Jefferson Davis, Jacob Thompson, Clement C. Clay, and others, for contriving, aiding and abetting this foul murder. This proclamation against innocent parties, dooming them to the odium of all mankind, and to an ignominious death if captured, was, in the eye of Heaven, as great a crime as that which had been perpetrated. And those that projected it, and she, the innocent victim, whom they executed not long after—and Booth, the monomaniac, who fired the fatal shot—have long since confronted each other before the bar of God, and to that judgment we leave them.

When this proclamation appeared, Mr. Thompson's first impulse was to present himself at Washington and demand a trial. But his friends wisely prevailed on him to abandon any such confidence in the justice of the ruling authorities. Andrew Johnson was then courting the extreme radicals, and Mr. Thompson's doom would have been decided even before the organization of the court.

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Mr. Lincoln and Mr. Thompson had served in Congress together, in opposite parties, it is true, but their relations had been friendly and kind. There was a dry humor, a *bonhommie*, a rustic cordiality and brusqueness of manner, with a homely, but vigorous style of talking and speaking, about Mr. Lincoln, that attracted people to him. He was a good type of the Northwestern frontiersman, and it is doubtful whether he ever had an enemy. He was certainly kind-hearted and conscientious, and a better man than most of his advisers. He was driven into the war reluctantly, by skillful conspirators. He had no military ambition; no passion for pageantry or glory. He loved his country, and had only moderate prejudices against the South. He was a republican, who believed in the constitution, not a radical, who believed in the "higher law" doctrines and hated the constitution. He did not desire to interfere with slavery in the States, because he knew there was no warrant in the constitution for such interference. He believed that it might be legally excluded from the new territories, and that the good of the whole country, and the voice of mankind, demanded that exclusion. To issue the celebrated Proclamation of Emancipation cost him many pangs. He agonized over it. He knew that he had no constitutional power to liberate the slaves. But after weeks of meditation, and self-examination, and many sleepless nights—seeing that the Union was in jeopardy—he decided on this great measure, as the surgeon, when all other remedies have failed, resorts to the Cæsarean operation, to save the life of the mother. This memorable act, which was applauded by nearly all the world, and has rendered him immortal, haunted Mr. Lincoln the remainder of his days, no matter what his biographers have said, or may say. He was strictly conscientious, and all the sophistry of Mr. Seward, one of the most subtle of casuists, failed to satisfy him that the act was legal and constitutional. And he only justified it on the plea of an overruling necessity. In the early stages of the war he would willingly have made terms stipulating for non-interference with slavery in the States. And, after the appearance of his proclamation, if left to his own counsel, he would have made peace, and favored compensation for the liberated slaves, on the return of the South to the Union.

These impressions of President Lincoln were general in the South. Many of our statesmen knew him, and they knew he was no fanatic. He was a Kentuckian by birth; a citizen of Illinois, whose population was largely composed of Southern immigrants; and his wife's family were Southern; her three brothers in the Confederate army. We had much more to expect by the life of such a man than to gain by his death, and nowhere was the terrible tragedy more lamented than in the South.

When Lincoln perished, we lost the best friend that we had at Washington during the war, and the country lost a chief magistrate, homely in exterior, but of a fresh, vigorous mind, aiming always for the public good, and whose hands were never stained with filthy lucre or with fraud.

While Mr. Thompson was in Canada, President Lincoln expressed a wish to have an interview with him, and Judge Emmons, who was

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at that time special agent for the United States, in Canada. Judge Emmons communicated this to Mr. Thompson, and he consented to go, *incognito*, with Judge Emmons to Washington, if the proper safeguards should be sent to him. The proposed interview did not comport with the views of the Secretary of State, and the negotiation ceased.

But to show the animus and kindly nature of Mr. Lincoln, we now, for the first time, disclose the fact that, to escape from the country, Mr. Thompson had gone, in disguise, to Portland, Maine, to seek a vessel, but had been recognized, and the Secretary of War was about to issue an order for his arrest. Hearing of this, a few hours before he was assassinated, the President suspended the issuing of the order, and expressed his wish that Mr. Thompson should be allowed to leave the country unmolested. When Johnson's proclamation appeared, Mr. Thompson appealed to the public for its judgment, and it is safe to say the verdict was spontaneously and emphatically in favor of himself and friends, who had been so shamefully accused.

Mr. Thompson, with his family, sailed for Europe, and there spent several years before returning to his home at Oxford, Miss., from whence he went to Memphis, where he now resides, taking no part in politics, but actively engaged in business.

In 1876, it will be recollected, Gen. Belknap, Secretary of War, was impeached for malfeasance of office. To escape conviction and the penalties, he resigned his office; and the argument was that being no longer an official, he could not be pursued by impeachment.*

This impeachment question became a party question, and by way of showing the absurdity of prosecuting Secretary Belknap after he had resigned his place, Mr. Chandler then Secretary of the Interior, stated publicly that as Mr. Thompson had been guilty of abstracting a large amount of the Indian bonds during his administration of the Interior Department, he would be liable to impeachment, and that he would insist on his prosecution if Congress should claim jurisdiction in the case of Belknap. As soon as Mr. Thompson saw the report of this conversation, he went to Washington, and through his friends called upon Mr. Chandler to withdraw this charge in as public a manner as he had made it. At first he consented to do so, but after Mr. Thompson remained some days in Washington, waiting for the retraxit, and had again insisted upon it, the Secretary of the Interior, instead of making the expected and promised withdrawal, taking advantage of his official position, instituted a civil and not a criminal action, for the recovery of two millions of dollars. The institution of this suit was heralded all over the country with a view of creating the greatest possible prejudice against Mr. Thompson, and a cover for Belknap. The process was served, and a plea was filed of *non assumpsit*, and the

*This point was made in 1798, in the case of Senator Blount, of Tennessee. He was charged with treason and conspiracy, and was expelled from the Senate. It was afterwards determined to impeach him. He refused to surrender on the ground that he was no longer a Senator and could not be impeached, and the Sergeant-at-Arms of the Senate, who had been sent after him, and the U. S. Marshal, could get no posse to assist in his arrest. When the case came before the Senate again, his counsel made the point. It was sustained and the proceeding was dropped.

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case was continued upon the docket during the Presidential canvass. But although the institution of the suit was unjust, and wholly groundless, intended exclusively for political effect, and to injure the Democratic party, when the Presidential canvass was over, and Mr. Chandler about to retire from office, he quietly directed the suit to be dismissed, at the cost of the United States.

Thus we close our memoir of a man, still in the prime of life, whose career has been both honorable and eventful, never evading duty, and shrinking from neither labor nor responsibility.

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CHAPTER XXXII.

BEFORE entering on a review of the unhappy events that followed the election of Mr. Lincoln, and how they affected Mississippi, it may be proper to glance at the JURISPRUDENCE of the Territory and State, and the administration of justice; and how these were affected by the ordinance of secession, and the events of the war. The Natchez district, as has been shown, was rightfully within the limits of Georgia, but it had long been occupied by the Spaniards. In 1783, Georgia extended her laws over this district—on paper. Two years later she established it into a county called Bourbon, and appointed justices of the peace. But it was not until 1795, that Spain, by treaty with the United States, recognized the title of Georgia. In the same year, the legislature of Georgia authorized the sale of a large part of this valuable domain, for a very inadequate consideration, usually known as the Yazoo Fraud. These sales were annulled by the ensuing legislature. This gave rise to the celebrated case of Fletcher vs. Peck, 6 Cranch, when the Supreme Court decided that cognizance could not be taken of the alleged fraud of the legislature, in a suit between individuals contesting rights under the Act; that a grant was in its nature irrepealable, and that the purchasers under the law had a valid title. Before this extraordinary decision had been made the purchasers from the original grantees applied to Congress, and a compromise had been effected. At the same time the United States agreed to recognize, in favor of actual settlers, all grants of lands regularly made and authenticated by the authorities of Great Britain, Spain or Georgia, previous to the 27th October, 1795—the date of the Spanish treaty recognizing the boundary of 1783. In March, 1798, the Spanish authorities retired to their own territory, south of the 31°, north latitude. April 7th of the same year Congress established the Mississippi Territory, and adopted the ordinance that had been framed for the North-western Territory, Jan. 13th, 1797, with the exception of the clause prohibiting slavery. This was the organic law for the government of the Territory, and then was the time, and the only time, when Congress, at the cost of a moderate compensation, might lawfully have struck from the Natchez district the stain of slavery.* This ordinance provided for the de-

* There were at that period, a few slaves in the Natchez district, that had been brought from Carolina and Georgia, or introduced from Jamaica and other parts, but the number was limited. But before applying the famous ordinance to this district. it would have been just and proper to have the consent of Georgia; for though in Spanish occupancy during the Revolutionary war, and for a short time thereafter, it was unquestionably within the chartered limits of Georgia, where slavery legally existed.

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scent and distribution of estates, and the ordinary regulations for preserving the peace. A Governor was appointed, with extensive powers. He had the appointment of all civil officers, and, with the assistance of two judges, framed, promulgated, interpreted and executed the laws. It was near nine months before counties were organized, inferior courts established, and justices appointed. This was the first grade of government, and, as has been shown, was unsatisfactory and oppressive. . In 1800, Congress, extended the territorial boundaries, and provided for a legislature, reserving to the governor an unqualified right of veto. The first digest of the laws was prepared by Harry Toulmin, a learned English juris-consult, living in Washington county, on the Alabama. This work was completed and adopted in 1807. It was framed under authority of an act of the legislature which directed, "That the Digest, and the acts of the present session, shall, when printed, be entitled the statutes of the Mississippi Territory, revised and digested by authority of the General Assembly, and that from and after the 1st day of October next thereafter, all the laws made by the governor and judges, all the acts of the general assembly, and all statutes of Great Britain, not contained in said volume of statutes, shall cease to have any force or validity." In regard to this enactment the High Court of the State afterwards said: "When the Territory was organized the ordinance secured the inhabitants in the enjoyment of judicial proceedings according to the common law." Toul. Digest, 473. This, together with the provision in the first State Constitution, (1817), sec. 5, has been considered to exclude all British statutes, for the determination of the rights of the citizens. Boarman vs. Catlett, 13 Sme. and Mar., 152. Eight years afterwards Edward Turner, of Natchez, was authorizd to compile the statutes, embracing all the laws in force up to 1816. On the 7th of July, 1817, the Convention met to frame a constitution, preparatory to the admission of the Territory into the Union as a State. On the 15th of August they completed their work, and on the 10th of December Mississippi took her place in the Federal Union.

Under that constitution a property qualification was required of the governor and members of the legislature; ministers of the gospel were excluded from office, and most civil officers were to be elected by joint vote of the legislature. Judges were to hold their office during good behavior, but to be retired at sixty-five years of age. The judicial department consisted of a Supreme Appellate Court, composed of the district judges, with power in the legislature to establish such inferior courts of law and equity as should be deemed expedient. There was a sweeping clause which provided, that "All laws and parts of laws, now in force in the Territory, and not repugnant to the constitution, shall remain in force until they expire by limitation, or be altered or repealed by law."

There were many able lawyers in this convention, but the most prominent features in the constitution emanated from George Poindexter, a powerful debater, who usually carried with him a majority of the members.*

* This Convention assembled at Washington, Adams county, and occupied the old Methodist meeting-house, which had been built chiefly through the efforts of Lorenzo Dow.

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After this, a new digest of the laws became a necessity. In 1821 an Act was passed to "revise and consolidate the statutes of the State, with amendments and additional bills, and to report them to the legislature for their concurrence and approval." And George Poindexter, then Governor of the State, was requested to undertake it, and was authorized to call on the Attorney General, and the Supreme Judges for advice and co-operation. It was further enacted, that all Acts of a general and public nature, not contained in the revision, should be considered repealed, but not to the extent of impairing existing rights, or preventing prosecutions for previous offences. Private or local Acts were to continue in force.

This code was modeled somewhat after the revised code of Virginia, of 1819, by that great lawyer, Benjamin Watkins Leigh, and was executed with marked ability. It was adopted by the legislature, then sitting at Columbia, in 1822, not, however, without opposition, particularly that portion relating to the police of slaves, and their assembling for worship, which was obnoxious to the religious classes, and defeated Mr. Poindexter in the canvass for Congress, at the ensuing election. The Supreme Court was organized soon after the State was admitted into the Union, and continued till the revision of the constitution, in 1832. Of its labors during this period, nothing remains but one volume of Reports by Robert J. Walker. The decisions of that court are scarcely now relied upon as binding authority, yet some of them will stand "the test of scrutiny and of time."

In December, 1818, the court decided that "during the existence of the Spanish rule in this territory, the laws of Spain governed the descent and transfer of property here." The principle announced is undoubtedly correct, but the court overlooked the fact that the Spaniards were intruders, and had no legal claim to any part of the country north of 31°. The Supreme Court of the United States, 6 Cranch, 87, and 12 Wheaton, 523–35, sustain this view. The original boundary stood on the line of 31°, but under a proclamation by the British Governor of West Florida, this boundary, it will be recollected, was extended to the mouth of the Yazoo river. Spain claimed the benefit of this extension, and an appeal to arms was imminent when the treaty of 1795 was made.

The Supreme Court of the U. S. deemed that a proclamation from the sovereign, something more solemn than a commission, was the established mode in Great Britain, for the extension of jurisdiction. The difference in the views of the two tribunals was rather as to the effect of the commission, as distinguished from a proclamation, than as to the law. This point was afterwards discussed, but not decided in the case of Montgomery vs. Ives, involving title to the town of Rodney, 13 Sme. & Mar., 16.* The matter has now no practical significance, and the conclusion has been generally accepted, that the Spanish law never had any intrinsic force here. In the construction of grants made by Spain, and which were recognized in the articles of

*This is a very interesting case, and should be consulted by all students of our early history. Judge Sharkey and Judge A. M. Clayton delivered very elaborate and able opinions, conflicting on some points, but arriving at the same conclusion.

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agreement and cession between the United States and Georgia, the only effect given to the Spanish law was by comity.

Another case, in this connexion, may be noticed: One Decker, a citizen of Virginia, carried some slaves with him and settled in Indiana, in 1784, three years before the ordinance of 1787 prohibiting slavery therein. He remained there until 1816, when the territory of Indiana became a State, with a constitution prohibiting slavery. Decker immediately brought his negroes to Mississippi, and sold them. They instituted a suit for their freedom. The court held that, until the treaty of 1763, the northwestern territory belonged to France, and was then ceded to Great Britain. That it was conquered from Great Britain by the arms of Virginia, under Gen. George Rogers Clark, during the revolutionary war, but there was nothing to show that she had ever extended her laws over it previous to her cession of it to the United States. That neither the laws of France or Great Britain admitted slavery, and that, therefore, independently of the ordinance of 1787, the parties were entitled to their freedom.* In one case the court, without an express decision, intimated that a bill of exchange drawn by a resident of one State on a person residing in another State, must be considered an inland bill. The Supreme Court of the United States held the law to be otherwise. 2 Peters, Buchanan vs. Finley. A court of chancery existed during this period, and many of its decrees came up for review. It was held that a party who had a clear legal title to slaves, could not enforce it in a court of equity, contrary to what was afterwards established, on the ground that the *pretium affectionis* gave a right to the thing itself, a right which damages could not adequately compensate.

Upon the whole it may be said, that the judgments of the old Supreme Court of Mississippi exhibit good sense, and an earnest desire to dispense justice, without much display of learning and research. The names of Edward Turner, John Black, Isaac R. Nicholson, Harry Cage, Powhattan Ellis, John Taylor, Richard Stockton, Joshua G. Clark, Joshua Childs, George Winchester, Alex. Montgomery, George W. Smyth, Eli Huston and Chief-Justice Hampton, appear as Judges at different periods. Of these, Judge Turner and Judge Ellis seem to have delivered the most opinions—not surprising in the case of the first, who was industrious, but the latter, with his Poca-

* This decision is quoted in connection with the celebrated case of Ward vs. Duncan, et al., to show that, at all times, the colored man in Mississippi might safely claim the intervention of the law. It is not easy to perceive how the court came to the conclusion that neither Great Britain nor France recognized slavery. France introduced slavery into Louisiana, and for years the slave trade was carried on under British colors. When Louisiana passed under the Spanish flag, the authorities desired to exclude the farther introduction of slaves into the province, but Great Britain then owned West Florida, and her vessels going up the river to the military posts of Manshac, Baton Rouge, and Natchez, surreptitiously supplied the planters with negroes from Jamaica. As late as 1827, Lord Stowell, the greatest jurist in England, in the case of the slave Grace, *reversed* the famous *dictum* of Lord Mansfield, in 1771, that "the moment a slave touched the soil of England he became free," and showed that there was no ground for it in the common law of England! Lord Stowell sent a copy of this decision to Judge Story, who replied: "Upon the fullest consideration, I entirely concur in your views. If I had been called upon to pronounce a judgment in a like case, I should certainly have arrived at the same result."

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hontas blood inherited the characteristic indolence of the race, so it must be construed as a high sense of conscientiousness and official duty that induced him to write an opinion.* Of all these gentlemen only three were men of collegiate education. Richard Stockton, a native of New Jersey, had taken the first honors at Princeton, removed to Mississippi, became Attorney-General, and then Judge, and fell in a duel in New Orleans, in the prime of life. George Winchester, educated at Harvard, read law with Judge Story, and came to Mississippi with the highest testimonials from that great jurist. He was deeply grounded in the science and so much attached to the common law, that it used to be said, jestingly, that he considered all statutory changes of it as *unconstitutional.* It is fashionable to speak of the harsh features of the common law, and the necessity of mitigating its asperities to suit modern social conditions, but it is no less true that social demoralization has been in an exact ratio with these changes. Those communities that retain the common law in its greatest purity are, unquestionably, the best governed, and have the best conceptions of social order. Judge Winchester had great powers of analysis. He was an adept in tracing every case back to first principles; he had an inexhaustible store of learning at command, and a logical, demonstrative style, fluent, copious, always courteous. With great talent, and inflexible integrity, he blended a charm of manner and child-like simplicity, that made him a general favorite. He never had an enemy. He was universally loved, and in return no man loved Mississippi, with all her faults, better than himself. He was an ultra State-rights man; a great admirer of Mr. Calhoun; the confidential friend and adviser of Quitman. He presided over the "Southern Rights" meeting at Jackson, in 1849, which was the first organized association to resist anti-slavery encroachments, and he wrote the address and resolutions adopted on that occasion.

George W. Smyth was a graduate of Trinity College, Dublin, of a family of distinction in Ireland. He rose rapidly at the bar in Natchez, and was on the threshold of a distinguished career when he died.

The other Judges were men of limited education, but of solid sense and natural acuteness, and by long practice at the bar had qualified themselves for the bench. There were relative grades of merit and qualification among them, but they all stood unchallenged for integrity in the discharge of official duty. And here it may be observed with proper pride, that in the history of the State, amidst all our political vicissitudes, there is no instance of judicial corruption. Men from every section of the Union, men from foreign countries, men of all the conflicting parties have administered justice here, when there was much to excite the passions and mislead the judgment, but no suspicion of impure motives attaches to their decisions. Though subjected for many years to the taint and temptation of popular election, to the eternal honor of our people, and of the profession, the ermine has remained uncontaminated.†

* Judge Ellis was an inveterate smoker, but he has often been known to take his seat before the fire, put a cigar in his mouth, and sit two hours until some servant passing would hand him a coal to light it.

†Our strongest Democratic Districts have often elected Judges of opposite politics, and *vice versa.* Since the war we have had a number of gentlemen on the

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September 10th, 1832, a Convention assembled in Jackson to revise the Constitution of 1817. Gen. P. R. R. Pray, a distinguished lawyer from Hancock county, presided over it. It decided that all officers, civil and military (with the single exception of the Clerk of the High Court of Errors and Appeals) should be elected by the peo—then an untried experiment, but since adopted by other States.

Another original and valuable feature was the restriction it imposed on any legislative pledge of the credit of the State, for the redemption of any debt, unless such debt was created under the special provisions of the Constitution. It was in defiance of this restriction, and in flagrant violation of the Constitution, that the Union bank bonds were disposed of, the party purchasing being fully aware that he was making a transaction expressly forbid by the fundamental law. Another remarkable clause prohibited the introduction of slaves as merchandise or for sale from and after May 1st, 1833, thus conceding that slavery had already been considered a social evil, and indicating that, in the future, proper steps would be inaugurated for its gradual extinction. This was at a time when slave labor was more remunerative here than in any quarter of the world, and therefore, more in demand. Yet with a generous philanthropy, and a sublime self-denial, the Convention, (and subsequently the people ratifying its action) determined to circumscribe, and thus gradually to dispense with compulsory labor. It was at this period, too, and in conjunction with this prohibition, that our churches, of every denomination, made a combined effort to instruct and evangelize the colored people; everywhere inculcating it as a christian duty; all looking forward to the period, however distant, when that race would be qualified to exercise the privileges of freemen, and to be the instruments of civilization and evangelization, in the country whence they came—the grand beneficent scheme projected by the American Colonization Society, *composed chiefly of slaveholders*, and to which the citizens of Mississippi had largely contributed. Thus that would have been accomplished in the providence of God, by the Southern planters, at the proper time, without disturbing

bench, who affiliated, more or less, with the Republican party, whose integrity stands unimpeached and unimpeachable. The venerable Judge of our United States District Court, Robert A. Hill, is a Republican, but his impartial and enlightened course on the Bench has secured for him universal confidence and respect. This venerable citizen was opposed to secession, and considered it most unfortunate, but no man did more to alleviate the suffering and sorrow that fell on our people. Unionists and secessionists had equal confidence in him, and he knew no difference between them in his sympathies and ministrations. He had free entrance into the two hostile armies that respectively occupied Corinth, and both Federal and Confederate commanders listened to his appeals. On the Bench he carries with him the same rare faculty of commanding universal confidence and respect, the natural result of his benevolence and integrity. He is learned in his profession, with quick perceptive powers, and a happy capacity for analyzing facts. He means to be absolutely impartial, and is as nearly so as it is possible for frail humanity to be. If he has faults the higher qualities of his nature make us blind to them, and of him, both as a man and a magistrate, it may be said, "Ev'n his failings lean to virtue's side." Judge H. is a native of North Carolina; commenced his career in Tennessee, where he served in the Legislature, was Attorney-General and very prominent at the bar, moved to Tishomingo county, in this State, elected Probate Judge, and was appointed to his present position by President Johnson.

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social order, which has since been effected by the sword*—by sinking millions of capital, by overthrowing and trampling down the Constitution and the laws, extinguishing the ancient fellowship, and the confidence that everywhere prevailed in the supremacy of law, and the security of the States!

This prohibition of the introduction of slaves as merchandise, subsequently gave rise to a conflict between our Court of Appeals and the Supreme Court of the United States, which will hereafter be referred to.† The new Constitution, likewise, entirely abolished the property qualification for office and suffrage, and the exclusion of ministers of the gospel from office. And all laws then existing in the State, not repugnant to the new instrument, were to continue in force.

After these radical changes, and the modification of existing laws that necessarily followed, a new Digest was called for, and, in 1833, Mr. Pray, the President of the Convention, was authorized to prepare it. Mr. P. was a native of Maine, had a collegiate education; and taught school for a while in Westchester county, New York.‡ He was industrious and methodical, with abundant learning, but his code was not a success. It was by no means satisfactory to the profession. It was two ambitious of originality, and was too much flavored with the civil law. Mr. Pray resided at Pearlington, near the sea-board, where lands were chiefly held under old French and Spanish grants, and he had occasion to study the civil law, and, like many others, became enamored with it. He often attended the courts in New Orleans, and occasionally practiced there in connection with the late Gen. E. W. Ripley, who, besides being a gallant soldier, was an eminent civilian. Hence, the leaning in the new Code to the Roman law, which made it unpalatable to the disciples of Coke. In 1838–9, Volney E. Howard, State Reporter, and Andrew Hutchinson, were appointed to make a new Digest. They did not give sufficient time to the work, and it did not realize the public expectation. There were some errors, and material omissions.||

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*"He who conquers by the sword, shall perish by the sword."

† In 1860, when the Legislature and the Secession Convention were both in session, and when Commissioners were being appointed to visit the different Southern States, to solicit their co-operation, the Governor in his message recommended an Act to prohibit the introduction of slaves unless the owners came with them, and became citizens. This was to prevent the influx of slaves from the border States, growing out of the anticipated troubles.

‡ In a curious book, "The History of Westchester, N. Y., Vol. 1, p. 67, there is an account of a monument erected at Peekskill to Lieut. McChain, with an inscription by P. R. R. Pray, written with much terseness and beauty.

|| No one ever doubted the capacity of these distinguished gentlemen. Mr. Howard is a native of Maine; came early to Mississippi, qualified for the bar, and connected himself with the press. He rose rapidly in both vocations; became the leader of the Democratic party; established a high reputation for talents, firmness and sagacity; removed to Texas; became a member of Congress; took high rank as a debater; removed to California, where he now resides, among the most distinguished of her public men, and is understood to have been, mainly, the author of the new constitution. He certainly contributed, more than any other one, to its adoption by the people.

Mr. Hutchinson was one of the most learned lawyers in the State, of great purity and simplicity of character, and much beloved. He died in the prime of life.

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In 1843, Mr. Hutchinson, dissatisfied with the failure, determined, of his own motion, to frame a Code. He devoted to it five years of incessant application. It was not strictly a Revision, nor a Digest. He called it an "Analytical Compilation—or the first of a Series of the Municipal Statutory Code of the State." It was, however, the only one of the series ever published. It is an excellent compendium, and affords many facilities for reference to the statutory law from 1798 to 1848. On submitting it to the Legislature, a resolution was passed authorizing the Governor to appoint three suitable persons to examine it. On the favorable report of this commission, that it was "a full and complete compilation of the statute laws of the State," it was adopted. It was acceptable to the bar, and to the community. Still something more seems to have been called for, and in 1858, three eminent jurists of Mississippi, Judges Sharkey, Ellett, and W. L. Harris, gave to the country what is known as the Revised Code. The programme indicated by Hutchinson was not followed, and a work more like that of Poindexter was produced. Of course, any work emanating from such a quarter evinced ability and research, but it was criticised likewise, and the inquietudes that soon enveloped the State left no opportunity to establish its foothold.

The first Judges elected by the people, under the Revised Constitution, were William L. Sharkey, Cotesworth P. Smith and D. W. Wright. Of these, Judge Sharkey was selected as Chief Justice, by his associates, and his long career in that position fully proves the wisdom of the choice. He was not a man of liberal education. He was not then even learned in the law, nor deeply versed in it as a science. But his intellect was vigorous, and his sagacity almost unerring. He had the rare faculty of eviscerating truth from the most tangled web of sophistry and fraud. His conclusions, as well of law as of fact, were generally correct, and he extracted the true principle from the most discordant and irreconcilable authorities. His style was masculine, strong and lucid, tending rather to diffuseness. As presiding Judge, he was affable and patient. The most prosy speaker was assured of an attentive hearing, and his manner was such as seldom to give offense. Before taking his seat in the morning, he usually spent a few minutes in social and familiar intercourse with the bar, giving and receiving pleasant hits. Thus the business of the day commenced in good humor, which was rarely interrupted. He presided in the Court nearly twenty years, and at last resigned a place which seemed to be his by right. In political life he was timid, wavering, inconsistent, and wholly unreliable.

His associate, Judge C. P. Smith, at first served but a single term, and was succeeded by Judge Pray. Judge Smith was again elected in 1840, and succeeded Judge Sharkey as Chief Justice in 1852, and served until his death in 1863. The estimate in which he was held is reflected by the resolutions adopted, after his death, by the bar, over which he had presided nearly twelve years. They justly accord him an enviable reputation in saying "that he was a great and good man, learned, conscientious, fearless and upright—that he administered justice without sale, denial or delay, and did his duty regardless of

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men or parties and with an eye single to law and justice." High eulogy from a high source, but not higher than was deserved. He was a native of South Carolina, but had long resided in Wilkinson county.

Judge Daniel W. Wright, a citizen of Monroe county, of great popularity, from some cause took but little part in the business of the court, and has left scarcely an opinion, which found its way into the reported decisions. He was succeeded by Judge Trotter in November, 1838.* One of the most unique cases, in our early Reports, is that of Fisher vs. Allen, 2 Howard, 611, in 1837, involving the question of the rights acquired by the husband of a Chickasaw Indian woman, to property which she owned at the time of the marriage. It was held that as the marriage, in that instance, had taken place, before the act of the legislature of 1830, which abolished the tribal customs, had been passed, the rights of the parties were governed and fixed by the tribal customs. By these, the husband acquired no right to the property of the wife, which she owned at the time of the marriage, or to the subsequent acquests and gains, and that no part was subject to the debts of the husband.

It has been said that the late Tappan Reeves, the founder of the famous law school at Litchfield, in his work on the Domestic Relations, was the first to advocate, on a common law basis, the separate right of a married woman to her property. It is probable, however, that this tribal custom of the Chickasaws long antedated his work, though there is no authentic account of the date of its origin. This decision of the court was made in 1837, two years before the enactment of the first law in this State, which secured the property rights of married women. It is believed that our Mississippi statute on that subject, was the first which was passed, in any state in the Union, which was governed by the principles of the common law. Courts of equity had been a long time in defining, limiting and upholding these rights, when secured by marriage settlement, often veering from one extreme to another. The uncertainty and contrariety of decisions, both in this country and in England, are clearly set forth in the case of Jaques vs. Methodist Ep. Church, 3 Johnson's N. Y. Chy. Reports, and in Morgan vs. Elam, 4 Yerger, Tennessee Reports, especially in the brief of counsel in the latter case.

Most of the States have adopted the principle, and England, after standing out until 1870, finally gave it recognition by an act of Parliament. It is singular that an uncivilized tribe of Indians in the interior of Mississippi, in this respect, have anticipated the action of more enlightened communities, in a reform of the common law, now acknowledged to be not only just and proper, but in strict conformity to the highest principles of equity.†

It may not be out of place to say, that the statute of this State was passed mainly through the exertions and influence of a lady, Mrs. T. B. J. Hadley, who kept the most popular boarding house in Jackson at the time. She had resided in Louisiana, had become enamored of the civil law principle there, and had it engrafted on the statute book

* Originally of Lowndes, afterwards of Marshall, subsequently U. S. Senator.

† The same custom prevailed among the Choctaws of Mississippi.

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here. If any of her boarders opposed it, they were put on short commons, and served with the traditional hash, and had no comfort till they gave in. It is an appropriate accompaniment of a noble work, that the property rights of married women should have been wrested from the stern grasp of the common law, which altogether denied them, by the skill and address of a married woman.*

The negotiability of bills of exchange and promissory notes, was established, with a single anti-commercial feature; payments by the maker to the payee, before notice of assignment, were good as against the assignee. It is established, that a bill of exchange drawn in one State and payable in another, is a foreign bill, in conformity with the decision of the Supreme Court of the United States, but in opposition to the opinion of the old Supreme Court of this State. With the now prevalent doctrine, that this is one nation, it may be doubtful whether, as an original question, such a decision would now be made, in the Courts of the Union.

The provision in the Constitution of 1833, of this State, which declares, "that the introduction of slaves into this State, as merchandise, or for sale, shall be prohibited, from and after the 1st day of May, 1833," gave rise to a series of interesting cases, and caused a conflict of opinions and decisions between the Supreme Court of the United States and the High Court of Errors and Appeals of this State. The latter held that the provision was a prohibition in and of itself, and of its own force; the former held that it was only directory and required action by the Legislature to give it vitality and efficiency. Graves vs. Slaughter, 15 Peters, 455. The Supreme Court did not pay that deference to the opinion of the State Court which was usual with it, and the difference was never settled.

Chief Justice Sharkey, in Williamson vs. Bryan, 7th Howard Rep., delivered one of his most forcible and vigorous opinions in reply to the decisions of the Supreme Court.

It will be admitted by every unprejudiced mind, at this day, that the State court was right, and that it was unreasonable to hold that a clause in the constitution, imperative in its terms, and intended to frame the policy of the State, upon a matter of great moment, should be left for its operative effect, to the discretion of the legislature.

It was in the argument of this case, in the Supreme Court of the United States, that Mr. Webster, in behalf of the vendor, set forth and defined his views in regard to property in slaves. He says: "What is the foundation of the right to slaves? There is no law declaring slaves property any more than land. 'Slaves' are property by the term slaves. The master has a right to their services and labor. This is property. The constitution recognizes slaves as property; it was adopted during the existence of slavery in more than one-half the States: and thus the *protection* of this right of property, in the intercourse between the States, became a duty under the constitution." It cannot, with justice, be said that this was the opinion of a mere advo-

* Her husband, Auditor of Public Accounts, was a citizen of Wilkinson county. She was a daughter of Maj. David Smith, an old Indian fighter, after whom Smith county was named. The family subsequently moved to Texas. Gov. Runnels, of Mississippi was a son-in-law of Maj. Smith.

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cate. Every lawyer is sworn to support the constitution of the United States, and that oath imposes the same obligations upon him who argues the cause, as on the judge who decides it. No casuistry can draw a distinction between them. This view was promulgated by Mr. Dexter, Attorney General of the United States, at a very early day, and accords entirely with good sense, sound judgment, and morality. It was this out-spoken conviction, together with others of the same character, which alienated the abolition sentiment from the great constitutional expounder.

A singular constitutional question arose, shortly after the organization of the Chickasaw counties. A special election was held for Circuit Judges in the newly created counties, at a time different from the general election. Those elected were commissioned "for the time prescribed by the constitution," not specifying any particular duration, though the time prescribed was four years. Before this period expired a general election came on, and other judges were elected. One of those elected at the special election, claimed in opposition to the judge elected at the general election, that his time had not expired, and that he was entitled to hold the office, and enjoy its emoluments, till the four years had elapsed.

A test case was formed and taken, ultimately, to the Court of Appeals, where it was decided in favor of the officer last elected. The decision seems to have been made on arguments *ab in convenienti*, from a view of the difficulty of executing the law in any other mode, rather than on the express language of the constitution, or the terms of the commission.

Another constitutional question, in connection with the Judiciary, grew out of the creation, by the legislature, of Vice-Chancery Courts. The constitution provided that there should be one Superior Court of Chancery, with jurisdiction over the whole State. In practice, it was found unequal to the dispatch of all the equity cases that arose. Hence a bill was passed by the legislature, creating a system of District Vice-Chancery Courts, with the right of appeal to the Superior Court of Chancery, and to the Court of Appeals. The constitutionality of this law was contested, but it was sustained by the Appellate Court, for the reason that, although the legislature could create but one Superior Court of Chancery, it was not prohibited from establishing Inferior Courts of Equity, under the clause which gave authority to establish such Inferior Courts as might be deemed necessary.

In the early days of the State, a large number of banks were chartered, and an almost equal number of unchartered institutions—real estate banks—were put into operation. For a brief season they produced inflation; debts were heedlessly contracted; speculation ran riot, and a glittering, delusive prosperity threw its bewildering light over the land. Such a state of things could not last. Soon revulsion came with financial ruin and wide spread bankruptcy in its train. One of the immediate effects was a war with the banks. It was then the undisputed doctrine, that upon the dissolution of a corporation, the debts to it and from it were extinguished, and its real estate reverted to its grantors. To have the banks dissolved by taking their charters

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from them, was deemed the easiest and readiest way to get rid of all debts to them. Hence *quo warranto* proceedings were instituted against nearly every bank in the State. All had suspended specie payments, and continued suspension was regarded as cause of forfeiture of charter. The banks offered determined opposition to these proceedings, and additional legislation was found to be necessary to facilitate the legal remedy. Accordingly a bill was introduced for that purpose, by the Senator from Claiborne county, which, from his name, became known as the Briscoe bill. To this bill Judge Guion,* the Senator from Warren county, appended an amendment, which provided that the debts due to or from a bank, should not be extinguished nor its property lost by its dissolution, or by judgment or forfeiture of its charter, but that it should be the duty of the judge who pronounced a judgment of forfeiture, to appoint trustees, whose duty it should be to collect the assets of the bank, and apply them to the payment of its debts. This amendment met with violent opposition in the legislature, but the bill thus amended became a law.

The controversy did not cease with the enactment of the law, but was carried into the courts, and continued with very unusual acrimony. It was contended that the act was unconstitutional, and its validity was contested upon every ground which forensic acumen and ingenuity could suggest. Its validity, however, was sustained in the Court of Appeals, though by a divided opinion, but the decision was acquiesced in, and the controversy died out. In this way, something was saved from the general wreck, for the creditors. But it was also held, as the true construction of this statute, that the trust which it created, extended only to the collection of so much of the debts due to the banks as was required to pay their indebtedness, and that if there was anything beyond this, the trustees had no right to collect it, and that it was extinguished under the common law rule. Nevitt vs. Bank of Port Gibson, S. & M., 513; Commercial Bank of Natchez vs. Chambers, 8 Smedes & Marshall; Coulter vs. Robertson, 2 Curl., 278.

At that day, the existence and the effect of the common law rule, as thus stated, were not denied. It was fully recognized and acted on in the case of Port Gibson vs. Moore, 13 Smedes & Marshall, 157. The authority of this case, however, has of late been questioned in very high quarters, and may be deemed to be shaken, if not destroyed, because alleged to be in conflict with the provisions of the constitution against acts which impair the obligation of contracts. Field on Corporations, section 492; Dillon on Municipal Corporations, section 115, and cases cited. But the decisions in the Supreme Court of the United States do not seem to be consistent and harmonious. For in Rees vs. Waterson, 19 Wall; and Heine vs. Levee Commissioners, in the same book, the Supreme Court held, "that the Federal Courts, sitting in equity, do not possess power to appoint the marshal to collect the taxes, nor to subject the taxable property within the corporate limits of a city, in any way, to an assessment, in order to pay judgments." It is probable that court will be called on to review the whole

* Son of Maj. Isaac Guion, so often referred to, and one of the most brilliant of the sons of Mississippi. He died in the prime of life.

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subject, in a short time; and it is certain that some legislative action would be appropriate.

The war with the banks gave rise to another question of some importance. This was, whether, if the banks exacted more interest than was authorized by their charters, it caused a loss of the whole sum loaned, or whether they fell under the law applicable to individuals in such cases, and were subjected only to the loss of the excess? It was held, that where a corporation makes a contract, within the scope of its granted powers, but in so doing, exceeds them, the contract will not, by reason of such excess, be wholly void, but will be good to the extent of its power, and that the taking of usury would not invalidate the whole contract. Farther, that the violation of charter could not be enquired into, in a collateral proceeding between individuals, but only in a direct proceeding by the State to resume the granted franchises. Commercial Bank of Manchester vs. Nolan, 7 How., St. Rep., 568; Am. Col. Society vs. Wade, 7 S. & M., 663, 697.

Allied to the general warfare against the banks, was the controversy as to the Union Bank bonds. They were five and a half millions in amount—a sum, at that day, regarded as of great magnitude.

The constitution of 1833 contained a provision, introduced by Gen. Quitman, that the faith of the State should never be pledged for any loan or debt, unless passed at one session of the legislature, by a majority of the members of each house, and entered on the journals, with the yeas and nays taken thereon, and then referred to the next succeeding legislature, after publication for three months, in three newspapers of the State, and again passed by a majority of each branch of the legislature, and a like entry of the yeas and nays on the journals.

The objection to the validity of the bonds was founded upon an alleged non-compliance with these requirements of the constitution. But in Campbell vs. The Union Bank, 6 How., Chief Justice Sharkey delivering the opinion of the court, and in The State of Mississippi vs. Johnson, 25 Miss. Rep., 625, Chief Justice Smith delivering the opinion, the law was held to be constitutional, and the bonds binding upon the State. These decisions, however, seem to have had but little effect on public sentiment. There could be no coercion or compulsory process against the State—the legislature never made any appropriation for their payment, and the decrees were powerless.* The bonds of the Planters' Bank were not liable to the same objection, though they were objected to on very strong grounds. No provision was ever made by the legislature for their payment. The whole dropped out of view, except for an occasional newspaper paragraph, and slept the sleep of death. Finally, a recent amendment of the constitution emphatically forbade their payment, and this put an end to all further agitation of the subject. The policy of Mississippi was expressed by Gen. Quitman, in the clause before quoted, which he introduced into

* The controversy had entered into the popular elections—bond and anti-bond candidates were put forth, for almost every office—the contest was heated and bitter, but in the end the anti-bond party prevailed by a large majority. It must be borne in mind too that both Judges Sharkey and Smith were active and violent political partisans, entering personally into every canvass, and were often charged with political bias.

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the constitution of 1832. It is to keep out of debt, and have no connection with banks. The credit which so many States are craving we do not desire. Credit is a public curse on ourselves and our posterity. It is the source of debt, high taxation, litigation, and war. Our own resources and the labor of our own people, are sufficient to accomplish all the public improvements we require. The true political economy is never to borrow a dollar, and to grant no exclusive or irrepealable privileges to any corporation.

The exceeding scarcity of money, induced by the failure of every bank in the State, and the consequent depreciation of the currency, caused an extraordinary amount of pecuniary distress and embarrassment. The courts were crowded with suits; judgments were rife in proportion, and property was literally covered with executions. The pressure was so great and heavy that as a means of relief, the legislature, in 1840, enacted a stay measure, in the shape of a valuation law. It provided that property levied on, should be appraised, and should not be sold under execution, unless it brought two-thirds of the appraised value. If it did not, all proceedings were to be stayed for twelve months—the lien of the judgment to be preserved in the interval. Under such circumstances sales became well nigh impracticable, and were seldom resorted to. The law remained in force but a short period—and was repealed.

Its constitutionality was never tested, although several cases under its provisions were brought before the High Court of Errors and Appeals. In one of them, one of the judges expressed his opinion that it was unconstitutional, but the point received no adjudication. The Supreme Court of the United States has, in several cases, held similar laws to be invalid, because in opposition to the constitution.

The doctrine is, that remedies upon contracts may be changed or modified, but that some effectual, existing remedy must always be kept in force, so as not to impair the obligation of the contract.

The limitation of estates, in this as in most of the States of the Union, has formed rather a conspicious feature of jurisprudence. At the time of our revolution, there had been centuries of legislation and judicial discussions in England, in which the object on one side had been to establish the right to tie up property in strict settlement, in order to preserve it in the same families, for the purpose of accumulation; and on the other, to establish a free and unfettered right of alienation for the benefit of the community at large. At last it had been settled in the English law, that both real and personal estate might be so far fixed in settlement as to be confined in a particular course of devolution, and rendered absolutely inalienable, during one life, or any number in being at the same time, and a farther period of twenty one years and ten months. At the end of this period, the property again became open to alienation, with this difference, that at the end of the period the real estate must vest in some person either as an absolute estate in fee simple, or in some person as an estate tail, liable to be converted into a fee simple by fine or common recovery; but at the end of the same period, personal property was to become absolutely vested.

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These rules appear to be simple and easily understood, but their application has been a source of exceeding difficulty and intricacy, and the rules so covered with modifications and exceptions, that scarcely any two minds entirely concurred in their construction.

The existence of estates-tail met with decided reprobation in the United States, as soon as their independence was established. They were thought to be incompatible with republican institutions, and statutes were passed prohibiting their creation, and converting them into simple fees. It was contended, soon after these statutes were enacted, that the main design of abolishing entails was to destroy all estates of every name and nature, which tended to create a perpetuity, and to consider all remainders and other contingent interests entirely barred. But this view did not prevail, and the courts held that only estates-tail proper were destroyed, and that all other classes of limited estates, executory devices, and bequests, executory trusts, and other contingent interests, were preserved, within the bounds prescribed, to prevent perpetuities.

This was the condition of the law when Poindexter's revised code was adopted, in this State. There had been no case in our courts previous to that time. In that code, two sections, the 24th and 26th, in the chapter on conveyances, bear directly on this point.

The first of these declares, "that every estate in lands or slaves, which are or shall be estates-tail, shall be an estate in fee simple; *Provided*, that any person may make a conveyance or devise of lands to a succession of donees then living, and the heir or heirs of the body of the remainder-man, and in default thereof to the right heirs of donor in fee simple.

The 26th section of the same act, seems to have been intended to affix a precise and determinate significance to certain words, and to make them mean a definite and not an indefinite failure of issue, unless a contrary intention was clearly expressed, and thus bring them within the legal bounds prescribed for the duration of limitation of estates, and make them valid.

The proviso in the 24th section appears to have been directed against the rule in Shelly's case, and intended to annul it. That rule may be briefly stated as follows, as set out by Keyes on his work on "Future Interests on Real Estate." When a freehold is limited to a person and afterwards to his heirs, the limitation is not void; but it is held to be nothing more than an extension of the first limitation, and therefore the first limitee takes the whole by purchase. The earlier cases in the Court of Errors and Appeals in this State, deemed that these provisions of the statutes abolished the rule in Shelley's case, and in and of themselves established rules amply sufficient for the determination of all cases which might arise on the subject.

The above proviso is not contained in the Virginia Statute of 1819, which was the original of the other parts of the sections; but its principle was embodied in a statute in that State in 1850, and clearly put an end to that artificial and arbitrary rule. Similar enactments in Massachusetts, and in other States, have been held to abolish this celebrated rule. 4. Kent Com. 228; 2 Jarman on Wills, 176.

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After the decisions in this State, just adverted to had been made, other cases followed, in which it was held that the rule in Shelley's case had not been abolished, and was still in force, and that words which render the meaning attributed to them under the statute, were not entitled to that interpretation, and that such limitations were void. This was especially the ruling in Jordan vs. Roach, 3 George, Miss. Reps.

Other cases have followed, which do not harmonize with one another, or with those which preceded them, and the same incongruity seems to prevail as if no statute had ever been passed on the subject. The cases are collected and very ably reviewed by Judge A. M. Clayton, in George's Digest—title, limitation of estates—and it is there shown that they leave the doctrine in a wholly unsettled state. Some legislative enactment appears to be not only an appropriate, but a necessary measure. One which should declare that whatever words may be used to limit an estate, shall be held valid to the extent of the duration of a life or lives in being, and 21 years and ten months thereafter, and no farther, and that any attempt to create a greater estate by way of limitation either in a deed or will, shall not have the effect wholly to invalidate such limitation, but the same shall be good to the extent above set forth, and void for the excess. This would tend to render the complicated rules which surround this subject more simple and intelligible, and better accommodated to the wants of society.

The criminal law in this State has always been administered with due regard to the benign inculcation of the common law, "that it is better that ninety-nine guilty men should escape, than that one innocent man should suffer." This branch of the law itself, and its administration cannot incur the withering invective of Macaulay, where he says: "The earlier volumes of the British State Trials are the most frightful records of baseness and depravity in the world. Our hatred is altogether turned away from the crimes and the criminals, and directed against the law and its ministers."

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CHAPTER XXXIII.

THE MISSISSIPPI INDIANS.

THE Choctaws, Chickasaws, and Creeks, or Muscogees, were in the occupation of a large portion of what now constitutes the States of Mississippi and Alabama, when the French first colonized the country. How long they had been here, and whence they came, is merely traditional and has never been established. The Natchez tribes, and the Caddo's on Red river, had preceded them, and these had been preceded by the mound builders. All the Indian traditions dimly shadow a gigantic race of people, their predecessors who were contemporary with the mammoth, and the fossilized monstrous reptiles, birds and quadrupeds that have been frequently unearthed, all which became extinct by the wrath of the Great Spirit about the same time.

The late Gen. Sam Dale, of Lauderdale county, Mississippi, who lived to an advanced age, had passed many years of his life among the Southern Indians. He spoke the Cherokee, Muscogee and Choctaw tongues, and was familiar with all their traditions and customs.* And from conversations with him, reduced at the time to writing, this account is chiefly derived.

In 1842–3, the writer presided over a Board of Commissioners established by the United States to inquire into and adjudicate the claims of the Choctaws growing out of the last treaty made with them, prior to their removal West, and for months at a time a thousand Indians were assembled around the Commission. The examinations took a wide range, and having skilled interpreters, the opportunity was used to elicit much curious information, which is embodied in this account.†

The Choctaws believed that their ancestors came from the west. They were led by two brothers, Chactas and Chics-a, at the head of their respective Iksas or clans. On their journey they followed a pole which, guided by an invisible hand, moved before them. Shortly after crossing the Mississippi, the pole stood still, firmly planted in the ground, and they construed this as an augury that here they must halt,

*See Claiborne's Life of Dale.

†Much interesting information has been communicated by H. S. Halbert, Esq., of Lowndes, a gentleman of decided literary and ethnological tastes, and by Mr. H. B. Cushman of Texas, a gentleman of great intelligence, who spent his early years among the Choctaws, where his father, Rev. Dr. Cushman, presided over the mission among them—a man of refinement, education and talent, who consecrated his whole life to these poor nomads of the wilderness.

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and make their homes. What connection this may have with, and how far it has been derived from, the exodus of the Israelites, and "the cloud by day and the pillar of fire by night" is for the curious to determine; but the pole moving in the march before them, is the oldest and best established tradition of the Choctaws and Chickasaws.

The two leaders concluded to reconnoitre the country. Chics-a moved first, and ten days thereafter Chactas followed, but a tremendous snow storm had obliterated his brother's trail, and they were separated. He went southerly to Nanawyya, on the head-waters of Pearl river, about the geographical centre of the State, and the other brother, it was afterwards ascertained, settled near where Pontotoc now stands. At the first meeting of the brothers it was determined that the two clans should constitute separate tribes, each occupying their respective territories, and the hunters of neither band to encroach on the territory of the other. The present Oktibbeha and the Nusicheah, were indicated as the line of demarkation.

The Choctaws preserve a dim tradition that, after crossing the Mississippi, they met a race of men whom they called Na-hon-lo, tall in stature and of fair complexion, who had emigrated from the sun rise. They had once been a mighty people, but were then few in number and soon disappeared after the incoming of the Choctaws. This race of men were, according to the tradition, tillers of the soil and peaceable. There had likewise been a race of cannibals, who feasted on the bodies of their enemies.* They, too, were giants, and utilized the mammoth as their burden bearers. They kept them closely herded, and as they devoured everything and broke down the forests, this was the origin of the prairies.

This cannibal race and the mammoth perished about the same time, by a great epidemic. Only one of the latter escaped, who made his home for several years near the Tombigbee. The Great Spirit struck him several times with lightning, but he presented his head to the bolt and it glanced off. Annoyed, however, by these attempts, he fled to Soc-te-thou-fah, (the present Memphis,) and at one mighty leap cleared the river, and made his way to the Rocky Mountains.

They have a tradition of a great drought that occurred during the early part of the eighteenth century. It was particularly severe in the prairie region. Not a drop of rain fell for three years. The Nox-u-bee and Tombigbee rivers dried up. The forest trees perished. The elk and buffalo, then numerous, migrated beyond the Mississippi, and neither of these species returned. Towards the close of the third year it began to rain, and continued for two moons, and the Great Spirit had forgiven them.

The Choctaws and Chickasaws had occasional conflicts, particularly after the whites appeared in the country. The former were allies of the French. The latter were under English control, and the rivalry of these kept the two kindred tribes on bad terms. They had a great battle about two miles south of West Point. There may yet be seen two mounds, about one hundred yards apart. After the fight they

* The Attakapas Indians were cannibals, according to the early French writers. The Toukoways of Eastern Texas, once invited Gen. A. S. Johnston to dine on a roasted Lipan brave they had just killed. Life of Johnston, p. 90.

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came to terms, and erected these mounds over their dead, and to the neighboring stream they gave the name Oka-tibbe-ha, or Fighting Water.

The Nox-u-bee river owes its name to one of these bloody frays. Nox-u-bee is a corruption of Oka-nahka-shua, Stinking Bullet Water—*Oka*, water; *nahka*, bullet; *shua*, stinking.

The hunters of the Chocchumas—a once powerful tribe that occupied the Tallahatchie and Yalobusha valleys—had intruded on the Tombigbee prairies, the hunting grounds of the Chickasaws and Choctaws, and the warriors of these tribes attacked them, slew many and cast their bodies into the river. Hence the name given to the stream.

This, of course, caused retaliation, and a general war ensued. The Chocchumas had once lived low down on the Yazoo, were in alliance with the Natchez, and had immigrated to the Tallahatchie valley about the time the Choctaws arrived from the west. Each regarded the other as intruders. They were a warlike race, and had been greatly reduced by war. They were finally exterminated by the allied Chickasaws and Choctaws. Their last battle was fought six miles west of Bellefontaine, on the old Grenada road, on the land now owned by C. M. Roberts. Chulahoma, Red Fox, their most renowned warrior, resided there with his followers. He was attacked in his village, and all but a few women and children were slain. In 1830, an old half-breed, Coleman Cole, resided there, and claimed to be the sole warrior of the Chocchuma tribe. The decisive battle occurred at Lyon's Bluff, on the south side of Line Creek, eight miles northeast of Starkville. This bluff was the site of a cemetery of the mound-builders. Here the Chocchuma warriors, with many of their wives and children were posted, and here they were besieged by the Choctaws on the south and in front, while the Chickasaws were in position on the north side of the creek, so there was no outlet for retreat. The siege was one protracted fight, until the last of the Chocchuma warriors fell, and then the women fought until most of them had perished.

At the conclusion of this war the two victorious tribes re-established their boundaries. Line Creek was afterwards known by the Chickasaws as Nusic-heah, "you asleep;" because not long afterwards the Choctaws attacked them there when unprepared or "asleep."

All the Southern Indians were addicted to gambling and betting. At their ball plays they bet their ponies, their crops, their clothing and trinkets, and in a game between two tribes, they would sometimes stake a part of the territories that they claimed. The Creeks and Choctaws had several international games in which territory was lost and won, sometimes resulting in war.

As late as 1835, there died in the southern part of Noxubee, an Indian known as Stonie Hadje, supposed to be over one hundred years old. He was much esteemed by the whites. He was a Creek by birth, a Choctaw by adoption. He said that in ancient times—perhaps about 1790—there was a large pond near Noxubee river much resorted to by beavers. The Creeks claimed it because they had discovered it; the Choctaws because it was within their boundaries.

Beaver skins were in demand at Pensacola and Mobile. Neither

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party would give in, but it was finally agreed to determine it by a ball play. Each tribe selected fifty champion players. They commenced their preparations with the new moon, and these were not completed until the full of the third moon. Large supplies of provisions were provided, and the players had been subjected to the proper regimen and drill.

Five thousand Indians camped around the ground. The principal Creek chief then paid a visit of ceremony to the great chief of the Choctaws. In three days the visit was returned, and next day the contest commenced. The play was nearly equal. Each competitor seemed to have met his match. Fortune vacillated from one to the other. The excitement was tremendous, and rival parties even stripped themselves of their clothing, blankets and ornaments to stake upon the issue. All the rounds had been played but one, and the parties stood even. One more round would decide. The struggle was terrible and continued two hours. The Creeks were the victors, and a yell of triumph resounded over the field. They indulged in insulting insinuations. They called the Choctaw champions squaws, and flung them a pettitcoat. A Choctaw warrior immediately seized his tomahawk and a general fight ensued, with knives, clubs, guns and hatchets. This affray commenced before sundown and lasted all night and until eight next morning. The combatants ceased from sheer exhaustion, and the two chiefs were then able for the first time, to intervene. Three hundred warriors, the flower of the two tribes, lay dead on the field, and as many desperately wounded. Many women had been slain. It required a week to inter the dead, and then the survivors met, smoked the pipe of peace, and separated. Until the two tribes removed to the west, it was their custom to assemble at this fatal field every year, to mourn for the slain. After the fight, the Creeks, though they had won the pond, tacitly relinquished it to the Choctaws, who say, however, that the beavers deserted it directly after the fight, denoting the displeasure of the Great Spirit.

In 1832, one Charles Dobbs settled on this battle-ground. The aged Indian told him the dolorous story, and pointed out the places of sepulture. Dobbs found therein many silver ornaments and a considerable sum in Spanish dollars, thus verifying the story; but his desecration of these tombs was universally condemned. This place is on the east bank of Noxubee river, some five miles west of Cooksville, and some three hundred yards north-east of the junction of Shuqualak creek with the river. The pond was on the west bank of the Noxubee, half a mile north-west of the battle ground, but has been drained and cultivated. A number of years afterwards, another ball play took place between the two nations, which resulted in war. A pitched battle occurred on what is now the FitzGerald farm, in the north-eastern part of Noxubee county, on the south side of the Brooksville and Pickensville road. The Creeks were victorious, but having an impending quarrel with the Cherokees, they granted the Choctaws liberal terms. But the vanquished never forgot their defeat, and cherished a bitter resentment.

In 1811, when the celebrated Tecumseh visited the southern tribes,

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to enlist them in a general coalition against the whites, he met the Choctaws in council in this same locality. Pushmataha, Mashuletubbee, Hopiah-skatena, and other renowned leaders were present. The Shawnee made a vehement harrangue, pointing out the wrongs of the red man, and invoking vengeance on the pale faces, and it had its effect on an untutored people, whose very names indicate their propensity for war and blood. Pushmataha was the steadfast friend of the whites, but Mashuletubbee was vacillating, and Hopiah-skatena (the Little Leader), was decidedly hostile. The young men were evidently restless, and inclined to follow the Shawnee. The next day Pushmataha delivered his talk. He was a man of imposing presence, of dignified deportment, and with great natural oratorical gifts. He dwelt a long time on the friendly relations that had existed between the Choctaws and the whites, ever since the first of that race appeared in the country, and said that no Choctaw had a drop of a white man's blood upon his hands. "You are now on your way, Tecumseh, to visit the Muscogees, and to court an alliance with them. In three days you will enter their villages, and eat out of their bowls. They abhor the white man, and will listen to your talk, and when they hear your war whoop they will be ready to strike.

But the Choctaws and Muscogee can never travel on the war path together. Our old men, and our traditions forbid it. The ghosts of our fathers would meet us, and drive us back to our hunting grounds. The bones of our warriors, slain by Muscogees, are mouldering near by, unavenged, and last night I heard their complaints around my camp. Even now I hear the voices of the dead in the passing breeze, and I see their spirits in yonder cloud. They hold the pipe of peace to the white man, and the tomahawk to the Muscogee.

Then turning, menacingiy, to Mashulatubbee and Hopiahskatena, he said, in angry and imperative words: "Return home with your warriors, and put to death any of them that join the Muscogees."

Tecumseh abruptly departed, followed by his retinue of Northern Indians, uttering in their own tongue, a bitter imprecation.

The proceedings of the famous council with the Muscogees have been related in onother place.* Soon after this last council, the noted half-breed, Weatherford, and a Muscogee chief, Ojilli-hadjo, had a secret interview with Mashulatubbee, who had the disposition, but not the nerve to unite with Tecumseh. A few of his young men, as the war progressed, joined the hostile Indians and were nearly all killed in the battle of Calibee swamp. The survivors, on their return home, were put to death.

Ne-ta-ka-cha, who succeeded his uncle, Pushmattaha, was a chief of great firmness, sincerity and decision of character.

Among the Choctaws, and the Indians generally, the wife was literally the servant of the husband. She would consider him dishonored to carry a burden, to till the ground, or even to bring home the game that he killed. All menial labor was cheerfully done by the women, while the men spent their time in war, in hunting, feasting, gambling and sleeping.

*Claiborne's Life of Dale.

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Their criminal code was very simple – blood for blood. This may be illustrated by the story of Pi-in-tubbee, a young Choctaw brave, who lived in the present county of Winston. Shortly before the first emigration west, he quarreled with a warrior and killed him on the spot. He fled, but not so far that he did not know that he had to die, and that a day had been appointed when the Choctaws would assemble at a designated place, and he was expected to appear and surrender his life for the blood he had shed. The day came, and the people met on the crest of a hill overlooking the valley of the Nan-awy-yah, about a mile from the sacred mound. But the fugitive was not there, and the day was waning. At length, they perceived him rapidly approaching. There was general rejoicing, for to have been derelict would have been a disgrace to his clan, and one of his kindred would have had to die in his place. He excused his delay; that before his misfortune he had made a promise to attend a dance a long way off, and as it was his last on earth, he desired to keep it; that after it was over he had traveled night and day, and was now ready to die.

At this moment a missionary rode up. He made an earnest appeal for the pardon of the culprit, but the answer was, "life for life." He then turned to Pi-a-tubbee, and with great want of tact and discretion, depicted his sins, his unprepared state and the horrors of hell, so vividly that the poor fellow became nervous. He had believed that by surrendering his life to atone for his crime, he would pass at once to the happy hunting grounds of his fathers, and spend his time in a perpetual feast with beautiful maidens, and on the verdant banks of refreshing streams. But now the wise man, the prophet of the pale faces, by his terrific pictures of perpetual torment, had shaken his faith and his courage. An expression of fear was visible in his face—he trembled and stepped back. His mother's brother standing near by had noted all this; he felt indignant that one of his blood should betray such weakness, and with one blow of his tomahawk he cleft him to the brain. He was immediately buried where he fell. The women of his family cried over the grave, but the warriors closed the day with a feast and a dance.

When a Choctaw committed homicide, he was never put under arrest. He knew the debt had to be paid, and how it was to be paid, and there is no instance in which he failed to appear on the day and at the place appointed. Re-adjustments, reductions and compromises were not tolerated. It sometimes happened that if the party was a young man, with a family, his aged father, or uncle, or some one of his blood would offer to die in his place, and this was always accepted in satisfaction. The party about to die spent the preceding night in chanting his death song, and continued to sing until he reached the appointed spot. He then calmly knelt, and was shot or tomahawked by one of his kindred, and thus the feud was extinguished.

Homicide and witchcraft were the only crimes punished capitally.

It was a point of honor not to permit their fallen braves to be scalped. They would risk their lives to carry off or conceal their bodies. Anciently, when one was killed or died a long way from home, they buried him in a sitting posture, to indicate that he was only resting, and would return.

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In ancient times, the bones were enveloped in a covering of bark, and deposited in a shallow grave near, and often in, the house. The shrivelled integuments stripped off by the bone-pickers, were buried in a separate place, over which a pole was planted, to which was suspended thirteen hoops, made of grape vine, to represent the thirteen lunar months, which they counted a year. To the top of the pole was attached a small streamer or flag. The spirit of deceased was supposed to ascend by these hoops to the top of the pole, where it lingered till the funeral ceremonies were over. At certain intervals, the kindred came to cry over the grave, each time removing a hoop. When the last hoop was removed, the ceremony of the "pole pullings" and "dancing home" took place. The two oldest men that could be found, were employed to take up the pole, receiving a fee for the service. Two supple-footed young men then seized and bore it off, and buried or concealed it where it could not be seen again. Then the spirit takes its flight, and the warriors dance it home. This dance lasts all night, and often continues until the whole party is exhausted, because it is a long journey the spirit has to make. At length he comes in view of the happy hunting grounds, and finds it encircled by a river of whirlpools, dark and deep, and the only crossing is a small slippery pole, from which the bark has been stripped. Two fierce-looking giants, armed with clubs, guard this crossing, and assail all who approach. If the spirit is that of a brave warrior, he escapes the blows, walks boldly over, and is there met by a kind-looking man, who presents him with superior weapons, and conducts him where there is abundant game.

The bad spirit plants his foot on the pole—is knocked into the angry stream—is swept a long way down, and at last finds himself in a cold, desolate country, where an old, ill-natured man gives him a worn-out bow and broken arrows, and with this he has to provide a scanty subsistence, and live on roots and very poor meat.

They believed that the souls of women and children went direct to the happy grounds.

The scaffolding of the dead was abandoned many years since; the pole and the hoops continued much longer, and the cry over the grave—an affecting spectacle—continues even to the present day.

The Choctaws, from time immemorial, were divided into three beats or districts, each under charge of a head chief, who never exercised their authority, in important junctures, without the counsel and consent of the sages and warriors. Government, in all uncivilized communities, is lax and of precarious tenure. If the chief be general in war and judge in peace, he is general only from dread of the enemy, and because submission to the one best qualified becomes the interest of all. He is judge, because even the most untutored communities know that a common arbitrator is indispensable. But when matters concerning the society and public welfare generally, can be debated and determined, the power of consulting and determining is exercised by the whole society, or by the heads of its different divisions. As one of the society, the chief has a right and is expected to be present, and he asserts and is allowed the right of presiding over the delibera-

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tions. But his power is really no greater than any of the other parties in consultation, except from the moral influence his fame for valor and wisdom may, and doubtless does exert.

When one man exercises all the power of a community, that is despotism; a condition that never existed among the southern tribes. Their governments had many of the characteristics of the feudal system, and had they been found in Germany, we should have traced them to that source of modern civilization.

The Indian organization tended to an oligarchy. The warrior considered himself, in peace, the peer of his chiefs. They were not his vassals or bondsmen, but like the Norman leaders, were the *Comites*, or companions of the conqueror, and equally noble.

The names of the chiefs in the three Choctaw districts, at the removal west, were Ne-ta-ca-che, for the lower district; Ma-shu-la-tubbee, for the central, and Greenwood Le Fleur, for the northern.

They were independent of each other, and, with the co-operation of the head men, were supreme in authority in their respective districts. They consulted and acted in concert only in external matters, when the whole nation assembled to decide on peace or war. In latter times the whole nation assembled to receive their annuity, the goods, on the occasion, being delivered to the chiefs or captains, and by them impartially apportioned to the people. These captains were taken from the respective villages in which they lived.

In each of the districts, there were sub-chiefs or captains, called in the Choctaw tongue, mingos, who were the leaders in their respective towns or beats. Their jurisdiction and authority embraced all matters of local concern.

In the event of war, the sub-chief or mingo, leads the warriors of his village or town. The Choctaws, for a long period, had no regular wars, until Pushmataha joined Gen. Claiborne against the Creeks or Mus-cogees. But their hunting parties often went west of Red river and into Arkansas, and had many bloody forages there.

The Choctaw orator always proudly boasted that their nation had never shed the blood of a white man.

Occasionally, a general council of the nation, or of the district, was called. The head chief of the district, or if it be a national council, the three chiefs, send out runners to the subordinate chiefs, giving to each runner a bundle of sticks, corresponding to the number of days to intervene between the time of despatching and the day of meeting. The runner, every morning, throws away a stick, until he reaches the chief to whom he has been sent. He then delivers the bundle, with the remainder of the sticks, and the sub-chief throws away one every morning, which brings him to the place appointed when the last stick has been thrown away. This was the primitive method of transmission between the Indians, and was long adhered to, after they had become more civilized, out of respect to the ancient custom.

On the day appointed the Chiefs and Mingos assembled in the square or open space of the town, and the common people make it a holiday and engage in ball playing or dancing.

The council square was generally central, and about 60 feet long

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and 40 wide. On each side were two rows of posts, the outer one filled in with mud, about six feet high, and the whole roofed over with straw or boards. There were two rows of wooden benches covered with matting of woven cane, or white bark; on these benches the Chiefs and Captains take their seats and smoke their pipes, slowly passing them from one to another. The Indians are very deliberate, and are slow in reaching conclusions. The Speaker or Orator of the district or nation (as the case may be) usually opens with a speech, explaining why the assembly has been called, and discloses the views of the Chiefs. If the Speaker be absent, the Chief himself opens the assembly, and sometimes does so whether the Speaker be present or not. The Speaker is a salaried officer, and his share of the annuity is only inferior to the head chief. Any sub-chief or Mingo is then at liberty to give his opinion. Ample time is allowed. After the debate has ceased, and the pipe has been passed all around, the Head Chief, or the Speaker, by his orders gives the *Big Talk*, collecting the decisions of the council from the opinions that have been expressed, and giving his views as to how the conclusion arrived at is to be realized. He speaks very deliberately, and at the end of each sentence, if what he says be approved, the Mingos exclaim *Ma!* (yes) in a loud voice. There is seldom any collision between the Chief and the subordinates. If the superior be a man wise in council and bold in war, the counsellors usually decide in consonance with his recommendations, and if he be a man of tact he generally recommends what he finds, from their debates, is most agreeable to them. The Southern Indian is a born politician and diplomatist, and usually carries his point.

The Creeks or Muscogees, from time immemorial, were divided into two districts or parties, the Upper and Lower Towns. Over each of these divisions there was a ruling Chief, and over them, and over the whole nation, a Supreme Chief, or King. With this exception the government of the three tribes was about the same.

When the Creeks meet in council they smoke and have what they call "the black drink." It is made of the leaves of the Cassina Yapon, a tree resembling the haw-bush. They put the leaves in a basket and deposit it in a long earthen pot and boil them over a fire made in the middle of the square under a scaffold. The ceremony of drinking "the black drink," says Gen. Dale, is this: When they are all seated around one of them takes the gourd, (kept for that purpose) holds it over the pot, pours into it the liquid and continues pouring in until it foams and runs over. He then takes the gourd to the Head Chief and begins making a long note, drawing out his breath longer than one would suppose he could; he then draws his breath a second time, giving another long note, but in a different key. He then carries the gourd to the other chiefs, giving each of them a grunt as he presents it. There is no fixed time for the latter to drink by; the head chief drinks during the making of the two notes. They drink a quart at a time as hot as they can bear it. Some 15 minutes afterwards they vomit the drink without any effort or artificial means. The virtue of the drink is exhiliration and warmth to the system.*

*The ancient Germans debated when they got drunk but never voted or decided till they got sober. Tacitus de Germ. 22.

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"The Choctaws, Creeks and Cherokees all believe in a Deity, whom they call "The Great Spirit, the Giver of Breath," but they have no particular notion of his attributes, nor any mode or form of testifying their belief in or dependence on Him. Nor did I ever hear them say anything further about Him but as "the Great Spirit, the Giver of Breath." Nor had they any notions of a hereafter, neither Choctaws, Cherokees or Creeks. I have never known them to intimate at any time whether, when about to die or on any other occasion, any dread or thought of a hereafter, neither any hope of pleasure or fear of pain. The saying that they anticipate in another world good hunting grounds, I believe to be unfounded in truth. So far as the Creeks, Cherokees and Choctaws are concerned, all their notions of good or ill seem to be bounded by their present existence. Each of the tribes have conjurers whom they reverence very much. They tend their corn for them and make them presents. In latter times, the chiefs of the villages gave them more of the annuity than the common people. The office of these conjurers is to attend to the sick as doctors, to tell who are witches, to predict coming events, to make it rain and make it stop raining. "It generally rained as they predicted," says General Dale, "predicting frequently when there was no sign apparent to me. This made me believe that they had paid sufficient attention to astronomy and the study of nature to enable them to judge scientifically upon the subject." When any of their prophecies fail they say that some of the Indians have spoiled the physic by something they had done. There are from one to six conjurers in each village. When the conjurers point out a witch the chief has her forthwith put to death.

Among the Choctaws and Cherokees marriage is nothing but a verbal agreement. They live together as long as they please and part when they please. Among the Creeks the marriage ceremony is this: The man gives the woman a piece of venison or some kind of meat, and she gives him an ear of corn in the presence of witnesses. They are then man and wife, at least until the green-corn dance. Then the married couple are released if either of them thinks proper to break the contract. In such case the woman keeps the children. If the woman violates her fidelity before the green-corn dance (among the Creeks) she is whipped severely, her ears cut off and tied to the sticks with which she was beaten and the sticks set up in the town square for the people to look at. They serve the man who seduced her in the same way. If the man clears out, and cannot be caught, the clansmen of the injured husband punish his nearest relation in his stead. If the woman be punished and not her seducer, or his relation, the clan of the woman inflict upon the leader of the party that punished her, the same punishment which she had endured, and there the thing ends. Among the Cherokees there is no punishment for the incontinency of women whether married or single, but on the contrary the most tormenting ridicule would be heaped upon the man who should complain of the infidelity of his wife or sweetheart. The Choctaws, Creeks and Cherokees, have from one to six wives. The wives do not occupy the same house, but different houses to themselves.

The green-corn dance takes place when the first roasting-ears come,

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before which no new corn is touched. At this dance they extinguish all their fires, and make new fire by rubbing two hickory sticks together until it is produced, from which they supply their houses. The green-corn dance is the ancient jubilee;—all former crimes are forgiven except murder—which never can be expiated but by life for life.

Theft, among the Choctaws and Cherokees, is punished by whipping. The Creeks not only whip severely, but cut off the ears of the culprit, and fasten them up in the town square.

The Choctaws scaffold their dead until the flesh rots off them; the scaffold being eight or ten feet high and built on the edge of their yard. They then scrape the bones clean, place them in a box or put boards or bark around them and bury them in the ground—burying them sometimes in their yard, sometimes under their house.

"When I assisted," says General Dale, "in moving the first body of Choctaws that went west, there were some of them whose dead were still on scaffolds. They remained to bury the bones and chant the funeral rites the required time, and came on afterwards." With the Creeks, when a man dies, his wives cannot dress up, or go into company, or attend the dances or appear in the town square, or bind up their hair for the period of 12 months, during which time they must remain chaste under the penalty of beating and cropping as above stated.* The relations of the deceased husband have the privilege of releasing them from the observance of this custom before the year is out, but they seldom do so. The Cherokees bury their dead without any ceremony, burying them in the woods soon after their death. All the Indians compute time by the moon; when they compute a less time than a lunar month, they do so with sticks as already stated. They have 13 separate names for the 13 moons in the year.

Neither Choctaws, Cherokees, or Creeks had any tradition of who built the mounds, when they were built, or for what purpose they were built.

There is one peculiar feature in the division of the people common to the three tribes. They are distinguished by clans which run through the whole nation without any regard to the Districts. They are six in number, and called in English—the Wind clan—the Bear clan—the Deer clan—the Wolf clan—the Panther clan—the Holly Leaf clan. When one Indian kills another, one of the clan of the party killed is certain to kill the slayer. When the Choctaws kill each other, the slayer voluntarily delivers himself up to the opposite clan to be killed. The Choctaws in rare instances take pay to release their victim; the Creeks and Cherokees never do; no sum can induce them to spare the life of their prisoner, and if one were to take pay, the others of the clan would nevertheless certainly kill him.† If an Indian's wife is

* We learn from Blackstone that the laws of the Romans, Saxons and Danes required the widow to remain single for a year after her husband's death—which is called the *annus luctus*, or year of mourning. 1 Bl. Comm., 457. Perhaps the widow's quarantine, during which she can remain in her husband's mansion—and during which it is the duty of the heir to assign her dower, had its origin in respect for her grief, so that she might uninterruptedly bemoan the loss of her lord. 2d Bl., 135.

† This custom of requiring the murderer to satisfy the relatives of the deceased with his life, or a heavy fine, seems to have been universal with all rude nations.

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killed, some of the clan of *the deceased wife* must kill the slayer. Should the husband do it the clan of the slayer would kill him. They are very tender towards their children, treating them generally with greater kindness than is customary with other people.

Suicides among the Indians frequently occur, occasioned generally by ridicule or disgrace. The father and mother of an Indian arrested and imprisoned in Mississippi killed themselves on account of the imprisonment of their son. The father shot himself, and afterwards the mother hung herself on account of the accumulated distress. The law of distribution of their personal effects is the same in the three nations. What came by the husband or by the wife, upon their death without issue, goes to their respective relations. When the wife dies leaving children, her property goes to her children—her relations taking care of it for them and of them. The woman having to make the crop and raise the hogs does not miss her husband so much when he is killed, except on account of the game, because with the exception of the game she had the support of the family on her hands previous to his death. The land is in common to the nation—chiefs and people; particular lands being unknown among them but by reservations in the treaties. Their title to their houses and fields of corn is entirely by occupancy. As soon as the house is abandoned, any other person may take it. Their right, however, while in possession or use of the property, is scrupulously respected. When the husband and wife die leaving no children, the relations of the wife generally take their house. But if the house was built entirely by the husband, without the assistance of the wife, in such case, his relations usually take possession. If the house be an old house and built by neither, it goes to the blood of him who built it. But these rights mean nothing unless acted upon at the time of the house being left vacant, for if another be permitted to enter, occupancy, as above stated, becomes the sole title.*

Among the Jews, among the Gothic nations, Robertson's Charles V, p. 31. Among the ancient German, Tac. 21. Among the ancient Irish and Anglo Saxon's, 4 Bl. Comm., 313, 314, 413. Among the Abyssinians—Nubia and Abyssinia, by Rev. M. Russell, Harper's edition, p. 268. Among the modern Persians, Hist. of Persia, by James B. Frazer, Harper's edition, 224. Among the Afghans, Ibid, p. 300. Russell, in his history of Nubia and Abyssinia, compared the people of the upper Nile to the Indians, p. 56–58. He says, also, that those people have no idea who built the splendid temples and edifices among which they live, nor do they exhibit any curiosity to know, p. 194. This will tend to show the fallacy of relying upon a mere comparison of manners and customs, but if Hume's plan were fully carried out, and comparison of languages also made, perhaps something more satisfactory might be discovered.

* The Indians, like all other barbarous people, have no property in real estate, and never could comprehend the white man's greed for it. By the law of nature they had an individual or exclusive claim to the spoils of the chase or of war; and the temporary use of any spot they chose to camp upon, and to what grew thereon as long as they chose to occupy it. This right, thus limited, exists in all societies, however primitive or uncivilized. It owes its origin to the necessities of man, and commenced before the institution of civil societies and the organization of communities. Political associations are organized to *secure* this national right. Property in land never becomes more permanent till government becomes more defined and stable, or, to speak more accurately, permanent property in the soil and permanent government are not only inseparable concomitants, but they are simultaneous, and the gradations of each are distinctly defined in the march of nations. If we possessed the unbroken series of the laws of any people, from

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The Indians have an art, common to them all, of subsisting on less than a man can subsist on in any other way. They take the corn when it is fit to roast, boil it in an earthen pot, take it out in the ear, barbecue it on a scaffold over a fire until it is perfectly dry and hard; they then shell the corn, place it in a pot, sift ashes with it, and parch it over the fire, stirring it around all the time with a stick. They then take it out, sift the ashes from it with a sifter made of split cane, and pound the corn in a mortar. This parched corn flour, (generally known among the traders as "*cold meal*,") keeps without spoiling as long as it is kept dry, and a man can travel a week on a quart of it. A spoonful of it put in a pint of water, is a delicious and sufficient meal for one man. After it is put in the water they let it stand until it mixes and becomes like soup; it then serves both for meat and drink. They barbecue venison and beef by putting it on sticks and placing it over the fire until it is perfectly done, using no salt for preserving it.

All the Indian nations have a particular kind of war-whoop and war-dance. Whenever they get any news threatening war, or of a warlike character, the war-whoop is raised by those who hear it, hearing which, the people of the town assemble at the square. When a chief gets news that the white people are coming, or that war is at hand, he despatches runners to the head chief and to the different towns to carry the news. When the runner gets close enough to the town, he gives the war-whoop and continues whooping and running on through the town to the square, where all who are present raise the war-whoop, which speedily assembles the people. Other runners then are immediately started off, and in this way the news spreads speedily through the nation—swifter than it could be carried on horseback. A well-trained young Indian can run 50 miles from day-light to dark—going all the time in a long lope, and never tiring or stopping. The war-club was introduced among the Creeks by Tecumseh and his followers in 1811, at the Great Council at Tookabatchie, of which Gen. Dale was a witness. The war-club is shaped like a gun-stock, made of heavy wood; on the bend of some of them is a steel or iron spike 3 or 4 inches long. Previous to that time the Creeks only used the tomahawk, bows and arrows, the gun and scalping-knife. The scalping-knife is something like the common carving-knife rounded at the point. The real scalp is the crown of the head—a piece about as big as a dollar. They take off a larger piece, however, and afterwards cut, scrape and dry it. They leave the hair on it, paint the skin and preserve it with a great deal of care.

The Creeks and Cherokees have, in winter, what they call hot-houses. Two or three families club together and build a hot-house. They make it of logs, cover it with poles on rafters placed close together, add

the period when all property was in common to that when it became several, we should behold the idea of exclusive property in the soil emerge out of its temporary possession, and advance with a slow, but steady progress, to permanent tenure. The Indians were, in this relation, like the ancient Germans, whose policy it was, according to Cæsar and Tacitus, not to protect, but to discourage agriculture and fixed habitations, that the men might always be at leisure to rob. To this end, only temporary possession of land was allowed. No family was permitted to occupy the same place more than a year at a time. At the end of that period the chiefs made a new allotment.

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another covering of bark or boards, and daub the whole thickly with mud, inside and outside. The hot-house is a small square building, with a fire in the middle, raised on a hearth. They heat the house at night, rake the ashes over the coals and sleep on cane mats round the house, opening the fire as the house gets cold towards day. In this house, the children, who are naked, are kept warm all the winter. While the hot-house is heating, they are at the fire in their parents' houses. The hot-house is only heated in very cold weather, for, unless it is very cold indeed, the children, though naked, can stand it, playing about and running from house to house.

The Creeks and Cherokees always have a flag-pole about fifty feet high, planted in the ground, about thirty yards from their town square. Upon this pole they generally raise, in times of alarm, a flag of white cloth. Around this pole is a circular yard about thirty yards in diameter, nicely scraped and clean, where they play at foot-ball, in which game they kick with the foot, and do not touch with the hands. The women and men play at this game. The ball is about the size of a large orange, and to complete the victory, after they get the ball through the sticks, they must strike the pole with it. This is the only game played in this yard.

The ball-play proper, when they play with sticks, (the Indian's great game) is somewhat difficult to describe.

An open, level piece of land is selected, and four poles are planted some two hundred yards apart, two at each end, two feet apart at their base, but inclining outwards to a width of three feet at top. From twenty to fifty players, on each side, engage in the game, which never fails to attract a crowd. The parties, respectively, assemble at the pole, and then advance, whooping and leaping, to the centre, where they lay their sticks down in two rows. These sticks are about three feet long, one end fashioned, very ingeniously, of basket-work, in the form of a hand half open, with which to catch the flying ball. The object of one party was to throw the ball through the posts, and the business of the other party was to intercept the ball, and cast it through the posts at the other extremity. After depositing their sticks, an interval of about an hour was allowed for betting. Men and women, old and young, almost without exception, staked everything they could command, blankets, leggings, ornaments, moccasins on their feet, horses, and money. When two persons make a bet, the stakes are placed in the hands of a stake-holder, to be delivered to the winner. The players then post themselves along the line, and one of them, standing in the centre, tosses up the ball. The struggle then to catch the ball begins between the rivals. It must be caught only with the stick. The ball is about the size of an ordinary trap-ball, stuffed with deer-hair and covered with buckskin. Two mingos, one for each side, kept the tally. The ball had to pass twelve times through the poles. The party that succeeded first was the winner. The instant a player caught the ball it was his aim to cast it, with all his might, towards his own poles. But it was lucky if it was not snatched from him before he could throw it, or caught in an instant after he had hurled it. "Stand from under," and "look out," were the rules in this game. No re-

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sponsibility for accident or injuries, even should such injuries be fatal. No respect for rank, or age, or sex. When the play opened, the players were supreme. If you got in their way, you were remorselessly run over. If an arm, or a leg, or a rib, head or neck, was broken in the struggle to catch or throw the ball, it was all in the game, and no one was censured. They ran like a stampeded herd of wild horses or buffalo, over everything in their way, and if one or more fell the others passed over him. As the ball would come whizzing by, with the velocity of a bullet, a player would spring four or five feet in the air to intercept it, and just as he was in the act of casting it to his own poles, or starting to run with it in that direction, a rival would seize and hurl him to the ground, clutch the ball and be, in turn, overthrown as he was about to cast it.

One of these games, sometimes, lasted all day. Village played against village; clan against clan; tribe against tribe; the same rules governing in each case.

In all the villages, facing the public square, is the town house, devoted to dancing. These houses, among the Creeks and Cherokees, are circular, running up some twenty feet in the form of a cone or sugar loaf. Just before night, a fire is made in the center of this house, and by eight o'clock the dancing begins. The music is a very primitive drum, made of a dressed skin drawn over the section of a hollow tree or box, accompanied with a low, monotonous drawling chant by the musician. The leader of the dance chants the same tune, and the dancers keep time with wonderful accuracy. These town dances were intended for amusement, but the ball flag-dance and the war dance were religious solemnities, and required long practice and regular drill. The step or motion began at one end of the semi-circle, gently rising up and down, upon their toes and heels alternately; when the first was up on tiptoe, the next was on the heel, and thus, from one end of the rank to the other, so that some were up and some down, alternately, without any confusion, and moving with the regularity of machinery, obliquely or sideways, so that the circle performed a double or complex movement in its progression, and at intervals exhibited a general, uniform movement, by each rank turning to the right and left, taking each other's places. These movements were made with wonderful alertness, accompanied, occasionally, with the shrill war-whoop.

The green-corn dance (boos-ke-ta, in the Muscogee tongue,) was celebrated when the corn became fit for roasting. The day was appointed by the head chief, after a solemn smoke with his counsellors. The festival lasted from three to six days. The ground is sprinkled with sand. Four logs of wood are brought in, by four appointed warriors, from the east, west, north, and south entrances, and placed in the centre, end to end, in the shape of a Greek cross, the outer ends facing the cardinal points. The new fire is kindled by the friction of hickory sticks, and all the old fires are extinguished.

The first dance—the Pin-e-bun-gaw, or turkey dance, is by women exclusively, during which the black (or Yopan) drink is brewed. Next follows the Tad-pole dance, by four women and four men. After this,

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the men dance the E-ne-hon-bun-gaw, or dance of the common people. This continues all night.

On the second day, the women dance the It-ho-bun-gaw, or gun dance. At 12 M., the warriors go to the new fire, take up a handful or ashes and rub themselves on the chin, neck, and abdomen, and then, with a wild yell, plunge into the nearest water.

By this time the new corn has been prepared by the women, in various ways; the men rub some of this on them, as they did with the ashes, and then the feast commences.

On the third day, the warriors sit on the square, from sunrise to sunset, in solemn silence.

On the fourth day, the women renew their fires from the four logs in the town-house; the men rub themselves again with ashes, and bathe; they all eat salt, and dance the Obunguachapeo, or long dance.

On the fifth, they renew the sacred fire, and drink the black drink.

On the sixth and seventh, they march in procession around the square.

On the eighth, they boil fourteen physic plants together, under the direction of the E-lec-chil-gee, or physic-makers, and the warriors drink it.

They next reduce a quantity of corn cobs and pine burs to ashes. Four young virgins mix up these ashes with white clay, and after carrying a portion to the Mico (head chief,) the warriors rub themselves with the remainder.

Then some tobacco, of a peculiar kind, called It-an-chu-le-pue-pug-gee (old man's tobacco,) is brought by two officials, and the warriors all repair to the house of the Mico, and each secure a portion of it. The Mico and the warriors then walk four times round the fire, and every time they face the east they throw a little tobacco into the fire. They then face to the west.

Next, a cane is set up in the cabin of the Mico, with two white feathers at the end of it. One of the Fish clan (Shot-lo-gulgee) takes this cane, just as the sun is setting, and proceeds to the river (or nearest water,) followed by all the warriors. When he gets half-way he gives the death-whoop, and repeats it four times before he reaches the water. The warriors form a compact body on the edge of the water. The cane-bearer plants it on the bank, then every man puts a grain of the old man's tobacco on their heads and in each ear. Then they each throw a little into the water, and plunge in, and each picks up four pebbles. With these they cross themselves four times on the breast, each time casting one of the pebbles into the water and sounding the death-whoop. They then bathe, and take the cane and plant it in the center of the square, and visit from house to house. About ten at night they dance the O-bun-gaw-hadjo (Mad dance,) and by day-dawn the festival of the Boos-ke-taw is over.

On this occasion, a general amnesty for offences committed during the past year, is proclaimed. All quarrels cease. The fugitive may return home. All crimes are sponged out, homicide alone excepted. The inexorable rule of life for life overrules even this general amnesty.

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All the tribes had the green-corn dance, but it was more protracted and imposing among the Creeks.*

The Muscogees were a powerful confederacy, lying south of the Cherokees, and east of the Choctaws. They received and incorporated with themselves any broken tribe that came to them for refuge, assigned them a district to live in, allowed them to retain their usual customs and language, but required their aid for the common defence. This conglomeration of tribes accounts for the fact noted by all the early travelers that sometimes, even in contiguous villages, a different dialect prevailed.

They were called Creeks from the numerous water courses in their territory, upon which their towns were generally situated, and they were divided into the upper and lower Creeks, the latter sometimes called Seminoles. In 1773–4, Bartram, the naturalist, traveled through the Cherokee, Creek, and Choctaw nations, and has recorded many interesting details of their customs and habits. The Creeks, emigrating from the westward, fought their way through many tribes, and halted in the forks of the Okemulgee and Oconee, in the present State of Georgia. Here Bartram found the vestiges of an ancient metropolis, mounds, terraces, squares, and embankments, enclosing a large area. The cleared land extended up and down the river fifteen or twenty miles, and was then called the Okemulgee old fields. Here they concentrated, and resisted their enemies through whose country they had fought their way. Here, too, they were attacked by the Yamasees, once a formidable tribe in South Carolina, and whom the Creeks, after many bloody encounters had nearly exterminated; and the Savanas, Oguchees, Santees, and others, shared the same fate. The Creeks early entered into a friendly negotiation with the British authorities in Charleston, and their amicable relations were never disturbed. But they made war on the Spaniards of East Florida, for giving shelter to the Yamasees, and even threatened St. Augustine.

Owing to the number of their enemies, the Indians usually settled in towns or villages. The ground they cultivated in corn, beans, potatoes, pumpkins, and mellons, was under a common enclosure, in which each family had its particular portion. Among the upper Creeks, some of these villages were large and populous. The old Uchee town, for example, on the upper waters of the Appalachicola, contained, in 1774, over 2,000 inhabitants. In 1798, Col. Hawkins, so long United States agent, enumerates fifty towns in the Creek nation. The Appalachicola town was considered the mother town of the Creek confederacy. It was sacred to peace. No human blood was allowed to be shed in it. No capital punishments were there inflicted. Criminals were sent beyond its limits for punishment, and all treaties for peace were there negotiated. The great Coweta town, twelve miles higher up, was known as the Bloody town. There all great criminals were put to death, and there the Mico, his chief and warriors, assembled to prepare for war.

In or near most of these towns there were evidences of occupation by a numerous people long preceding the advent of the Muscogees,

* These primitive customs have long been obsolete.

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but no tradition as to what they were, or what became of them. Their mounds, embankments and terraces remained, and the fields that had been cleared of the primitive forest, but nothing more. The Muscogees claim to have come into the country from the southwest, beyond the Mississippi, before Charleston was settled by the English, and their tradition as to whence they came, and why they left their native country, is very nearly the same as the Natchez, as related by DuPratz. Upon the downfall of the Natchez confederacy, the Muscogees rose to power, vanquished every nation they came in collision with, except the Choctaws, and incorporating the remnants and suppliants into their own body. In 1798, in the fifty towns visited by Bartram, two-thirds of them spoke different dialects.

In 1771, Capt. Roman, of the British army, passed from Mobile, by land, through the Choctaw nation to the Chickasaws, and returned down the Tombigbee river. He crossed the head waters of Dog river to Bogue Hooma, (Red Creek,) and there entered the Choctaw country. It was then divided into two districts, the eastern called Oy-pat-os-coo-la, or the Small District; the western was called Os-coo-la-Faylaya. There were some seventy villages.

He found the Chickasaws chiefly concentrated in a large, rolling prairie, some three miles square. They had a continuous town, divided into seven villages: Melatan, hat and feather; Chatetan, Coppertown; Chickafalaya, long town; Hickaha, stand still; Chuccalesssa, great town; Tuckahaw, weed town; Ash-wic-boo-ma, red grass.

This last was fortified with pickets, and was where the unfortunate D'Atagnette had been defeated when he came from Canada to meet Bienville.

As hunters and warriors the Chickasaws have had no superiors on this continent. Never numerous—and frequently at war—they never failed to defend their country from invasion, but were at last expelled, or rather seduced away by the predominating craft of the whites.* As long as their ancient kings, and the pure bloods retained the ascendancy, the Chickasaws and Choctaws rejected every proposal for the purchase of their country. But when the half-breeds or hybrid races became predominant, accumulated wealth and monopolized authority, the country, which their forefathers had so long defended, was sold to the United States for only a tithe of its real value. With it went their towns, their fields and the bones of their ancestors, and they made their sad and reluctant exodus, with but a single consolation—the solemn promise and covenant of this Great Republic, that their new territory should never be encroached upon—that their independence should be maintained—their laws and institutions respected, and that they should be, in all respects, under its guardianship and protection. How far this covenant between a powerful nation and a feeble people has been respected, is a question that each reader may answer for himself.

The missionaries commenced their labors among the Choctaws in

*Those who are curious about the Southern tribes should read, Adair's American Indians, Hawkins' account of the Creeks, Bartram's Travels, Haywood's History of Tennessee, Roman's Florida, Willett's Narrative.

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1818. They were found in a semi-civilized state, living in huts or cabins, cultivating small patches of corn and beans in a very primitive fashion, and some of them owning herds of a small breed of horses and cattle. The crops were planted and worked exclusively by the women, who were never idle, doing the cooking and sewing for the family, providing fuel, making baskets, etc., etc. They were the burden bearers and bread providers of the tribe, and if ever woman's mission, with all its trials and grievances, has been faithfully and uncomplainingly performed, it has been by the Indian women of the South. Untaught, bred in the wilderness under all the leveling influences of poverty and want, and riot and debauchery, without the divine light that points out the path of duty to more fortunate races; with only the instinctive tenderness, delicacy and sense of duty of their sex to guide them, they uniformly manifested the highest attributes of human nature. Chaste, modest, resigned, patient, industrious, honest, devoted to husband and children, and always faithful to their country. They brought up their girls like themselves; they taught their boys to be honest, truthful and brave. And until corrupted by the whites, and tainted with the lust of gold, and other vices of civilization, there was no purer race than the Indians of Mississippi. Until we introduced the accursed fire-water into their country, they had no intoxicating liquors, nor was there a profane epithet in their language. Marriages took place in early life, and it required very little capital to go to housekeeping.

The land was free to all; a little cabin was easily built by the side of some bubbling spring. A small iron kettle to boil their venison and hominy, and a wooden bowl to put it when cooked, were sufficient for the young couple. They needed no mahogany tables, because, like the orientals, they sat upon the ground. If they had company the bowl was placed in the center, and the guests sat round and helped themselves one after the other. The same great wooden or horn spoon passed round the circle.

Tom-ful-la was their standing and favorite dish. It consisted of corn, soaked in lye to take off the husks, then thoroughly boiled, and seasoned with bear's oil, deer-tallow, and sometimes with the kernels of walnuts or hickory nuts.

They served their venison and turkey stewed with bear's oil; they made delicious tortillas or corn-cakes of pounded corn, and a pleasant beverage of acidulated honey and water. The ribs of a fat bear and the liver was a luxury. They would put a slice of venison, a slice of the breast of a turkey and a slice of bear's meat on a stick and barbecue it before the fire, the grease from the bear's meat dripping on the turkey and venison, and thus serve a dish that no metropolitan cuisine could surpass. They made a very refreshing jelly by pounding the roots of the China briar, (*Smilax pseudo China, smilax aspero,*) straining it through baskets, drying the farina, and then mixing it with honey. They likewise pounded walnuts and hickory nuts, passed them through boiling water, and then through strainers of fine basket work, and thus produced an inspissated liquor, the color and consistency of cream, and richer and of finer flavor.

The Missionaries found that the Choctaws recognized a Supreme

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Being or Great Spirit, who made and ruled all things. But they had not even a traditional knowledge of any other religion. They believed that the air was peopled with good and evil spirits, the latter more numerous, and to their influence they attributed individual and national misfortunes.

The males, when not at war, were usually hunting, not in parties, (unless they went into a region where they would probably encounter enemies) but singly and alone, his only companion a small dog. They were dexterous with the bow and arrow, and became expert with the rifle. They universally believed in witches and sorcerers. Old and ugly women were often accused as witches, found no defenders even among their kindred, and were summarily put to death.

They had among them, as privileged castes, the Rain-maker and the Medicine-man, the Prophet or Seer. The Medicine-man interpreted dreams, charmed away spells, and healed the sick; the Rain-maker, in periods of protracted drought, was invoked to save the crops, and the Prophet lifted the veil from the dim and mystic future.

When the Medicine-man was called to a patient, he placed him on a blanket, then bending over him, he used his mouth as a cupping-glass, sucking the seat of pain, and growling during the process, like a dog worrying a cat. He often put his left hand to his mouth, pretending to deposit what he had extracted from the patient. And then, after sucking, pounding, kneading, and growling, for an hour, he would repair to a tree and affect to wipe his hand upon it. This process of rubbing and manipulating usually put the patient to sleep, and he often woke up relieved, and the fame of the Medicine-man went abroad. If, however, the patient grew worse and died, the doctor immediately declared that the intervention of some powerful and malicious witch had defeated his efforts. The relatives would formally demand of him to point out the witch, and after some days of apparent deep thought, he would indicate some old, decrepid, and isolated woman, who, without formality, or interposition, even of her kindred, was promptly put to death.

In 1818, the child of a warrior sickened and died, in spite of all the manipulations of the Medicine-man. He attributed it to witchcraft, and pointed out a very old woman in the neighborhood. Several young braves immediately volunteered to kill her. They repaired to her house, and she, with true Indian hospitality, placed before them all the food there was in the house. They chatted pleasantly during the repast, and then suddenly sprang up, gave the war whoop, and literally cut her to pieces.

The Rain-maker had one privilege over other specialists. He always demanded a respectable fee in advance, giving them to understand that the spirits did not do business on credit, and as they never called on him till their crops were burning up, and their supply of water was exhausted, they were in no condition to haggle about terms.

If the Rain-maker fails, he does not attribute it to witchcraft, but says that he himself is Na-koo-a. Na-koo-a-fa-na—mad, too mad to be heard by the Great Spirit when he asks for rain, and that their crops must burn up. The credulous Indians gather about him, implore him

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to try again, and eagerly beg to know what can de done to restore his good humor. He replies that he will tell them after awhile, he is too mad now to think or to talk. He remains secluded until he notes the signs of an approaching change of the weather, and then he appears in public, and tells them if they double his fee the rain shall come. Glad to propitiate his anger, they promptly brought even more than he demanded. And very soon the rain comes as he had promised.

The Choctaw, like most Indians, was taciturn, of haughty demeanor, patient, abstemious, apparently insensible to pain or emotion—"the stoic of the woods." They were hospitable, grateful for favors, unobtrusive, neither forgetting nor forgiving. They were fond of dress, of paint and plumes, of trinkets and jewelry, and would spend hours in adorning their persons and admiring themselves in the small mirrors they carried in their bosoms. Red and blue were their favorite colors. In early times, they wore a profusion of silver ornaments. The metal was obtained in their predatory excursions about the sources of the Arkansas and Ouachitta, and from the earliest times there were skilled artisans in metal among them.

The Choctaw had no fear of death. He regarded it as a mere journey to a better hunting ground; and formerly, his pipe, tobacco pouch, knife, tomahawk, and gun were burried with him, and sometimes his horse was slain on his grave, as it was supposed he might need them on his arrival. Thus the Natchez killed the attendants of a great personage, that he might have servants in the other world.

The cry over the grave was never omitted. At a time appointed, relatives, neighbors, and friends assembled, and one group after another sat around the grave in a circle, with their blankets over their heads, and made their lamentations. They continued several days and nights, and then they had a feast and a dance. When this was over, the name of the dead was pronounced no more.

The Choctaw woman had one blessing amidst all her burdens. She was exempt from the curse which the scriptures tell us was bestowed on parturition. They were as prolific as other races, and yet the *sage femme* was unknown among them. A woman about to become a mother, retired into the woods, and in a few hours returned with her child, and resumed her occupations.

It is the testimony of the Missionaries that they found the Choctaws strictly honest, scrupuously punctual to their engagements. If one borrowed an article, to the very hour he promised to return it, it would be brought.

The itinerant white trader was the potent instrument of demoralization, and counteracted many of the wholesome teachings and regulations of the Missionaries.

These devoted teachers, however, succeeded in accomplishing many reforms, and in destroying many of the ancient superstitions. The Medicine-man, Rain-maker, and Prophet, were soon recognized as imposters.

It was affecting to observe with what intense interest they listened to the history of the Redeemer, and how soon, under the Divine guidance, they seemed to comprehend and feel the regenerating influ-

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ence of revealed religion. They heard, with amazement, the story of the cross and the atonement. For a man to yield his life for the life he had taken, for a friend to die for a friend, was their own law and creed, but for one to die for his enemy, for the son of the Great Spirit to die for those that reviled, scourged and crucified him, required more than the eloquence of the missionary could accomplish, but it pleased God to enlighten their understandings, and they soon manifested an earnest faith, visible in their prayers, and in their lives and conversation.

In 1818, under the auspices of the American Presbyterian Board of Missions, the Rev. Messrs. Kingsbury, Byington, Gleason, Hooper, Touse and Cushman, with their families, and Dr. Pride and Misses Burnham, Foster and Thacher, established themselves near what is now Mayhew station on the Mobile and Ohio Railroad. They gave their settlement the name of Mayhew.

Not long afterwards a similar establishment was made under the name of Elliott, some sixty miles southwest on the waters of the Yalobusha.

After laboring several years as evangelist and teacher at Mayhew, Rev. Dr. Cushman, who was greatly beloved, was induced by the Folsom's and other leading Choctaws, to remove ten miles west of Mayhew and establish the mission of Hebron, three miles northwest of the present Starkville. He built on a spot known to the Choctaws, by tradition, as the old Chocchuma Fort, and where the last of their people had been slain. The Indians regarded it as haunted ground, and were terrified by the ghosts of the departed. They believed that the presence of the white race would frighten them away.

Every Sabbath, no matter how cold or stormy, the missionary chapels would be crowded by these untutored people, never tired of listening to the narrative of the redemption, and eagerly inquiring for the bread of life.

The women arranged themselves on one side, the men on the other, the sexes never sitting promiscuously. The preacher, (until he acquired the language) stood with his interpreter, fronting the assembly, and spoke a few sentences which were immediately rendered by the interpreter. At the end of every sentence the men would exclaim *Yum-ma!* (very good.) Now and then, a warrior would quietly leave the church, and in a few moments return with his capacious pipe filled with tobacco and sumach, resume his seat, draw a few whiffs and pass it to his neighbor, and so the pipe traveled round until its contents were exhausted. Then he, who had been favored with the last puff, silently withdrew, replenished it, returned, and the pipe thus went round till the exercises were closed.

The missionary schools were well attended, and contrary to expectation the pupils were found extremely docile and subordinate. The parents frequently visited the schools, manifesting intense interest, often making "a talk" to the students and pointing out the great advantages they possessed over their forefathers.

There was a farm and a farmer attached to every mission, under charge of a competent Northern farmer, and the boys were taught to

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plow and to hoe, and gradually weaned from their traditional prejudices and indolence.

The farmer had a wife and daughters, and sixty years ago these New England women, well educated, refined and pious, who had followed their husbands and fathers into the wilderness, did what Miss Corson is now doing in New York. They reclaimed the daughters of the savage—taught them to sew and knit—to spin and weave—initiated them into the making of butter and cheese, and drilled them in a regular New England kitchen.*

They sang the hymns taught them by the missionaries in their own language. These had been translated from the English, but sometimes, it was evident, they improvised to the missionary airs. The Choctaw language is musical and some of the women sang beautifully. The voices of Choctaw women are low and sweet, corresponding with their gentle manner and modest deportment. Two villages stood in the vicinity of Hebron on opposite sides. On the Sabbath morn the people would assemble, one procession from the North, the other from the South, the men in front, the women and children following, and with measured step march to the church, singing a hymn in their native tongue. When they met at the door each party silently shook hands with each other, continuing to sing during the ceremony, and then entered, took their seats and engaged in silent prayer. The greatest solemnity prevailed, and not a whisper was heard during the hour of worship.

No people were more rapidly advancing in civilization, particularly in the prairie districts under the jurisdiction of David Folsom, and the Yazoo district under Greenwood Le Fleur. The Indians in the two other districts under Ma-shu-la-tubbee and Ne-ta-ka-cha, had made little progress, these two chieftains being pure Choctaws, uninstructed, and opposed to any innovation on the original uses.

LeFleur and Folsom organized a mounted patrol, called "light horsemen," whose duty it was to punish all criminals and desperadoes. The constituted a sort of ambulatory jury, and first tried and then punished offenders.

If a homicide had been committed the light horsemen collected the testimony, and if the party was found guilty of wilful and malicious murder, they announced the verdict and appointed the time and place of execution. They never arrested the party, and he never failed to appear. He repaired to the grave that had been already dug, knelt by the side of it, made a target on his naked breast for the executioner, was instantly shot, the grave filled up, and he was never mentioned afterwards. Sometimes the condemned would ask a respite of a few days or weeks, giving as a reason that a ball play in which he was to take part, or a feast or big hunt which he had promised to attend, was on hand, and he desired a few days of enjoyment before he died. He proposed the day on which he could return; the request was always

*The author was often in very early life, the guest of Capt. Smith, the farmer at Elliott. He has often been the guest of worthy Choctaw citizens, whose wives had enjoyed these advantages, and he never saw, even in New England, neater and better housekeeping. As for hospitality, he has never seen the equals of the Choctaw and Chickasaw.

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granted, and on the designated day he never failed to appear. The rifle was invariably the instrument of execution.*

For minor offences the lash was applied.† He who had been condemned to receive this punishment never attempted to evade it. He promptly presented himself near the church door, where, singularly enough, this punishment was inflicted. Before the hour appointed the neighborhood assembled, where they chatted and smoked, never refering to the matter in hand. The culprit was as gay and as free as any of them. Precisely at the moment designated the light horsemen would appear. The crowd then went into the church, closed the door and struck up a hymn. At the same moment the culprit would say, "I have come, I am ready;" he would strip off his shirt, elevate his hands, and, turning his back to the light horsemen, say "proceed." He was severely scourged with a hickory switch. When fifteen or twenty strokes had been given he would turn each side to receive the blows, uttering no word and manifesting no pain.

When the blows ceased, the church door was opened, and the whole assembly marched out and shook hands with the sufferer, thus manifesting their appreciation of his fortitude, and the subject was then and there dropped forever.

Deformity, dwarfs, humpbacks, were rarely ever seen. The men were models of manly beauty, tall, well developed, active, graceful, with classic features and intellectual expression, grave, dignified, deliberate and always self-possessed.

The women, particularly the maidens, small, delicate, beautifully formed, with sparkling eyes and tresses that swept the ground, drooping their eyes before a warrior's glance, but gay, social, fascinating, their voices low and lute-like, and their laugh like the ripple of a brook over its pebbly bed.

The tribe had great pride of race. The warrior's proudest boast was Chah-ta-se-a-ho-cut-ba. I am a Choctaw!

They were bitterly opposed to the sale of their country, and declared that their chiefs, by collusion with the United States authorities, had defrauded them of their homes, and had they not been powerless, the agreement never would have been executed. But reading their doom in the setting sun, they silently left the graves of their kindred, and commenced their march for the distant west.

They meditated a bloody revenge on Le Fleur and Folsom, the chief factors in the sale, and would readily have resisted the movement by force of arms, had their leaders not been in league with the whites.

*In the winter of 1824 a party of Choctaws had been picking cotton for the planters near Rodney, and closed their labors with a frolic; of course, the men got drunk, and the women, as was their wont on such occasions, concealed all the weapons they could get hold of, to prevent bloodshed. A quarrel sprung up between two young men. They were separated by the women. Next day at noon they were seen standing with their rifles twelve feet apart. They fired at the same moment, and one fell dead. The survivor immediately seated himself on the ground, stripped off his shirt, with a piece of charcoal drew the outline of a heart just over his own, and chanted the death-song. Then with a look of defiance, he yelled the war-whoop, and his own brother, in pursuance of the Choctaw code, shot him through the heart, and thus terminated what would otherwise have become a family vendetta.

†This punishment was not known until they fell, more or less under white influence.

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These two chiefs were originally opposed to the sale, and for years had opposed it, and the question by their influence, and through the representations of the missionaries, had interwoven itself with the politics of the country. The Indian question became an absorbing issue in national politics, and the religious classes and the Whig party generally, opposed the policy of removal, and deprecated any pressure upon the Indian. In Georgia it had brought us to the verge of civil war. Gen. Scott, with the army of the United States, was dispatched to the Cherokee country to restrain any hostile demonstration on either side, and the Cherokee chiefs carried their case before the Supreme Court of the United States and demanded an injunction to restrain the authorities of Georgia from enforcing the State laws, or exercising any jurisdiction in their territory, which they claimed to be a Nation. The decision of Chief-Justice Marshall demonstrated that they had little to expect from our courts. And if they ever had an independent nationality it appears that by the treaty of Hopewell, they had surrendered it to the United States, and conceded to it the right to regulate their affairs.

President Jackson, then in the zenith of power and popularity, favored the removal of the Indians to the West, and the great tidal wave of immigration at that period towards the new lands of the southwest, constituted a force that neither the Indians, nor the missionaries and philanthropists, could resist.

To increase the pressure, in 1820 an act of the Mississippi Legislature abolished all the tribal rights, privileges and immunities enjoyed by the Indian within the limits of the State. Persons exercising the functions of chiefs, or acting under their authority, were subject to prosecution. Citizenship was conferred on the Indians. The laws of the State were extended over them. Justices and Constables appointed. No white person was allowed to intrude or settle in their territory. Marriages according to their usages were recognized as valid. And to exercise temporary jurisdiction the territory was attached to the adjoining counties.

The constitutionality of this act was much debated. It became the leading political issue, and ambitious men made it a hobby to ride into office. Many of the religious classes became intolerant. Even some of the missionaries forgot the proprieties, and preferred denunciation to persuasion.* The country became thoroughly aroused, and it was soon seen that the submission and departure of the Indians had become inevitable. Every effort made by indiscreet champions to blend the question with the Presidential and local elections injured their cause. The chiefs, Le Fleur and Folsom, had the sagacity to recognize this. They knew, too, that the provision in the act forbidding the intrusion of the whites would be a dead letter; that the Indian district would soon swarm with speculators prospecting for land, with squatters and traders, and that their people would be swindled out of their property, involved in quarrels and litigation, and that general demoralization would ensue. The wisest of the missionaries saw this

* The Rev. Dr. Tally became extremely violent and denunciatory, issuing inflammatory hand bills, and interfering with the local elections.

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likewise, and it was concluded that it would be best, under the circumstances, to submit. The great body of the Indians, however, did not concur with them. And the chiefs, Ma-chu-la-tubbee and Ne-ta-ca-cha, were violently opposed to it, and began to denounce Le Fleur and Folsom as traitors and cowards—an opinion they never afterwards wholly relinquished.

Among the Chickasaws and Choctaws, and indeed among all the tribes, the half-bloods, from their superior intelligence and talent for accumulating property, usually obtained the ascendancy. The Colberts, for many years, virtually ruled the Chickasaws, and the Pitchlyns, Folsom and Le Fleur controlled the Choctaws. Peter Pitchlyn was a white man, with one or more Indian wives, a man of sterling integrity, who for many years was the Interpreter for the United States. He had several sons, who were men of education and talents, but one became a desperado, killed his brother and made more than one attempt on the life of his father, but was finally shot as a measure of self-protection. Several of the Folsoms were men of high character.

All these perceived the necessity of yielding to the pressure for their removal. But the full-blooded chiefs were blind and deaf to argument and appeal. Ne-ta-ca-cha was nephew of the renowned Push-mat-ta-ha, and like him a full-blooded Indian, of commanding mien and an indomitable spirit. Ma-shu-la-tubbee was of the pure blood, a politician more than a warrior, plausible, diplomatic, and by no means reliable. Neither of them had any partiality for the missionaries, and adhered closely to the dress, usages and traditions of the tribe.

In 1828 a general council had been convened to consider the affairs of the nation, and the overtures of the United States for the purchase of their country. The half-bred chiefs, backed by the agents and emissaries of the United States with lavish promises of protection, bounties, and bonuses, urged the necessity of a treaty, but the full-blooded chiefs persisted in their refusals and retired from the conference.

The rumor soon began to circulate that the two lower chiefs and their followers, were coming, and meant mischief. They promptly despatched runners, from village to village, in their districts, and soon assembled their followers. They concentrated them at the old Council House near David Folsom's residence on the Robinson road. They marched southwardly to confront the hostile chiefs. "When we had travelled some distance," says Mr. Folsom, "I saw Ne-ta-ca-cha and his colleague, at the head of a numerous band, all in full war-paint. Up to this time I had hoped for peace, but now a conflict seemed inevitable. I knew that the war-whoop would be to Na-ta-ca-cha the sweetest music, and I was well apprized of the dark designs and revengeful disposition of his wily colleague. Our men were chiefly mounted, well armed and more numerous. The others were mostly on foot and indifferently armed, some of them with bows and arrows. When within a hundred and fifty yards Ne-ta-ca-cha halted. I did the same. For ten minutes the two parties stood gazing at each other in profound silence. Then, to my surprise, Ne-ta-ca-cha advanced to-

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wards us alone. With slow but firm and undaunted step he continued to advance until he reached a point just half-way between the two armies. He halted, folded his arms across his breast—looking like the effigy of war—and stood firm and statutesque as though moulded out of bronze. What he meant, or what inference was to be drawn from this movement, I did not comprehend. But after a hasty consultation with Le Fleur and a few of my principal men, I concluded to advance and meet him. When I had taken a few steps, I saw his warriors bring their rifles to their shoulders, and at the same time heard the click of my own rifles behind me. With deadly aim they held their rifles upon me as I drew nearer—nearer to their chief, and I knew, and he saw, that a thousand rifles were levelled at him. I saw and comprehended the crisis. I knew that the slightest altercation or token of collision betweeen their chief and myself, would make us the target for an avalanche of bullets, to be followed by a dreadful carnage and the destruction of our nation.

By the time I approached within thirty steps of the chief, I resolved to offer him my hand, in evidence of my desire for a reconciliation. If accepted, I hoped a compromise might be arrived at. If refused, I knew that in five minutes both of us would die. His countenance was forbidding and scowling, his lip compressed, a dark cloud resting on his brow.

I extended my hand; a smile like sunshine softened his expression, and he promptly and warmly grasped it, while each of us said Bar-ba-she-la (friends.) The Indians never cheer like the white man. No acclamations were heard; but on both sides the rifles were lowered. A warrior from each army advanced with some dry sticks; a fire was built where we stood; a council was held; the pipe smoked, and the impending curse of civil war averted.*

Le Fleur was more of a man of business than a warrior. He was not deficient in courage, for if he had been, he could have exerted no influence over the Choctaws, and would have been deposed. But he was of nervous organization, and when he and Nu-ta-ca-cha met he betrayed his emotion, and the chief exclaimed, "Why dost thou tremble? The wind don't blow." †

This condition of things could not continue. The Choctaws could no longer resist the pressure of the General Government and the State Government, and they reluctantly, and against the will of a very large majority of the nation, consented to negotiate. A general council was held at Chook-fa-hithla—bogue, (Dancing Rabbit Creek.)

The powerful name of General Jackson, then President of the United States, was effectually used to accomplish the treaty; the power of the State was exerted to intimidate the Indians; improper means were used to persuade, intimidate, deceive, and demoralize them. A corps of persons, familiar with their dialect, were in requisition to operate upon them. Reservations, and bounties, and other privileges, were freely promised. Even then the negotiation would have failed; large

* This is, substantially, the account of that memorable incident given by Mr. Folsom, many years ago.

† This interview between Folsom and Nu-ta-ca-cha would make a grand tableau, and should be put on canvass for the Capitol of Mississippi.

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numbers of the Indians had left the ground, refusing to treat on any terms; large numbers who remained, announced to the United States Commissioners that they never would leave their country. The prevailing policy was to make a general sweep of the Indians to the west, but the United States Commissioners, finding it impossible to effect this, offered to insert what is known as the 14th article of that treaty, which secured to every Choctaw who would signify, within six months to the resident agent of the United States, his intention to remain, a section of land, and a portion for each of his children, said reservation to include the place of his residence at that time. But for this clause, with all the influence of the chiefs in favor of a treaty, it never could have been made. More than three thousand of the Choctaws remained in the country, and at the appointed time applied to the agent to register their names. He was frequently drunk, and often absent from his post. He interposed every obstacle to registration, and finally, after registering a few, absolutely refused, declaring that he had his orders from Washington. The Indians were required to travel from remote points to his agency, with their families. They abandoned their homesteads for that purpose; taking their families along; enduring all the severity of the weather, hunger and sickness, at last to be told that he would not write down their names! On returning to their homes, they often found them in possession of a white man, who said he had bought it; and sadly and sorrowfully they lingered around their former homes, in poverty and humiliation, or wandered into the swamps in search of food, and perished from exposure and hunger.

There has been a great deal of philanthropy wasted in our times, and mostly for ignoble political objects, and at the dictation of corrupt political clubs, but no evidence of its intervention to relieve these unhappy people can be recorded. They suffered and they died, those noble natives of our soil, while the whole energies and capital of the religionists of the north were employed to stir up strife between the sections, calumniate their southern brethren, and lay the foundations for fratricidal war! May the Father of Mercy forgive them!

The operation of the 14th article (which had accomplished the treaty,) was deceptive and destructive. Many who had left the ground were in ignorance of their rights, and were not informed in time to make the required application to the agent. Many who knew the provisions of the 14th article, would not apply because they distrusted the white man, nor could they comprehend that there was any power on earth that had a right to dispossess them of the land whereon they were born, and which they occupied and cultivated. The agent resided at a long distance from many of them, and the old and infirm could not present themselves. Many who went, found the agent intoxicated, in an ill-humor, were long delayed waiting for him to become sober, and finally he peremptorily refuses to register them, and they returned, starving, penniless, despairing, to find their country swarming with speculators, who readily persuaded them to part with their rights, and wander away.

This condition of things attracted public attention, and on the 25th

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February, 1837, the following preamble and resolutions passed both branches of the Mississippi legislature:

"WHEREAS, the United States did, by a certain treaty held and made with the tribe of Choctaw Indians, residing for the time being, within the limits of the State of Mississippi, to-wit: the treaty of Dancing Rabbit Creek, made and concluded on the 28th September, 1830; and whereas, by the 14th article of said treaty, certain reservations of land were granted to such Indians as should remain on such land for five years next succeeding such treaty; and,

WHEREAS, Such claimants were, by the 14th article in the treaty referred to, compelled to signify their intention of claiming under the provisions of said treaty, within six months after the ratification of the treaty, or forever forfeit the rights thus acquired; and,

WHEREAS, It appears, from recent developments, that large claims to land have been preferred, conveying the richest and most valuable portions of the unsold Choctaw lands, and purported to be founded on, and growing out of, the treaty above referred to, and on a part of which lands thus claimed, no Choctaw does now, or ever did, reside; and,

WHEREAS, It is evident from the face of the case, that these claims are manifestly unjust in their character, oppressive in their operation on the freemen of Mississippi, and calculated to secure no ultimate benefit to the Indians originally claiming, but in their consummation, will have a direct tendency to impair the confidence which the good people of this State have in the correctness of the law, and in the honesty of the administrators of our public institutions; and,

WHEREAS, This most iniquitous transaction will, if it be consummated, not only rob Mississippi of her just and unalienable right to her five per cent. on the amount which ought to accrue from the large portion of valuable land thus reserved; and,

WHEREAS, This body have satisfactory evidence of the fact that a large portion of the claims to said land, under the provision of the treaty already referred to, are set up and attempted to be sustained on the testimony of Indians, who are unacquainted with the nature of an oath, and utterly regardless of the obligation thus incurred, and on the testimony of other individuals, wholly unworthy of the confidence of a moral and intelligent community; and, whereas, the permission of such abandoned and licentious profligacy would injure our community, disgrace our social and political compact, and license corruption and perjury to stalk at large through our land; now, therefore, be it resolved by the Legislature, etc., That our Senators in Congress be instructed, and our Representatives requested, to use the most speedy and efficient means to prevent the consummation of such of said titles as have originated in fraud, to the end that the aforesaid land may be disposed of in the regular way, and in accordance with the law in such cases made and provided.

Resolved, That his Excellency, Charles Lynch, be requested, at as early a date as may be possible, to furnish our Senators and Representatives in Congress with a copy of the foregoing preamble and reso-

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lutions, and with the testimony taken thereon, with a request that they lay the same before both branches of Congress.

JOHN L. IRWIN, Speaker or the House of Reps.
JOHN A. QUITMAN, President of the Senate.
CHARLES LYNCH.

B. W. BENSON, Secretary of State.

See House Doc., No. 202d, 24th Cong., 1st Sess.

This action brought about a Commission, under the authority of the United States, to investigate and adjudicate the claims of the Indians under the 14th article of the treaty.

The great body of the Choctaws, under pressure and persuasion, and specially the operation of the State laws upon them, went to the territory assigned them in the west. They went under many promises and covenants with the Federal Government—promises of certain liberal assistance—covenants for protection, independence, security for their property and institutions, and for admission into the Union, or separate nationality, at their option.

Whether these covenants have been complied with—whether they have been treated as a kind and honest guardian treats his ward—whether their property and institutions have been respected—whether the promises have been fulfilled—whether the Great Republic has evinced magnanimity and justice for a feeble people—whether, after stripping them of their property, the integrity of their territory is not now threatened in the interest of great railroad corporations, controlled by eastern stock-jobbers, is for the country to determine. The fanatic war-cry *"on to Kansas!"* will soon be changed to *"on to the Indian territory! Room for the white man—Room!"*

When the Board of Commissioners convened at Ho-pa-ka, (a long way off,) in Leake county, to investigate claims under the 14th article, the United States Emigrating Agent, the late John J. McRae, (afterwards Governor and United States Senator,) urged them, in very fervid terms, to enroll themselves for removal to the west, and renewed, in the name of the government, the lavish promises that had been made.

Two days afterwards, it was announced that a grand council of the Indians would assemble, and that Col. Cobb, their chief, and one of the shrewdest men the nation has produced, had been appointed to reply to the agent of the United States. A great crowd was in attendance; a circle of council fires was lit up; the pipe passed round with great solemnity, and everything was conducted with due form and stateliness.

SPEECH OF COL. COBB.

Head-Mingo of the Choctaws, east of the Mississippi, in reply to the Agent of the United States.

BROTHER: We have heard your talk as from the lips of our father, the great White Chief at Washington, and my people have called on me to speak to you. The Red man has no books, and when he wishes to make known his views, like his fathers before him, he speaks it from

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his mouth. He is afraid of *writing*. When he *speaks*, he knows what he says; the Great Spirit hears him. *Writing* is the invention of the pale faces; it gives birth to error and to feuds. The Great Spirit *talks*—we hear him in the thunder—in the rushing winds and the mighty waters—but he never *writes*.

Brother: When you were young we were strong; we fought by your side; but our arms are now broken. You have grown large. My people have become small.

Brother: My voice is weak; you can scarcely hear me; it is not the shout of a warrior, but the wail of an infant. I have lost it in mourning over the misfortunes of my people. These are their graves, and in those aged pines you hear the ghosts of the departed. Their ashes are here, and we have been left to protect them. Our warriors are nearly all gone to the far country west; but *here* are our dead. Shall we go, too, and give their bones to the wolves?

Brother: Two sleeps have passed since we heard your talk. We have thought upon it. You ask us to leave our country, and tell us it is our Father's wish. We would not desire to displease our Father. We respect him, and you his child. But the Choctaw always thinks. We want *time* to answer.

Brother: Our hearts are full. Twelve winters ago our chiefs sold our country. Every warrior that you see here was opposed to the treaty. If the dead could have been counted, it would never have been made; but alas! though they stood around, they could not be seen nor heard. Their tears came in the rain-drops and their voices in the wailing wind, but the pale faces knew it not, and our land was taken away.

Brother: We do not now complain. The Choctaw suffers, but he never weeps. You have the strong arm and we cannot resist. But the pale-face worships the Great Spirit. So does the Red man. The Great Spirit loves truth. When you took our country, you promised us land. There is your promise in the book. Twelve times have the trees dropped their leaves, and yet we have received no land. Our houses have been taken from us. The white man's plough turns up the bones of our fathers. We dare not kindle our fires; and yet you said we might remain and you would give us land.

Brother: Is this *truth?* But we believe now that our Great Father knows our condition—he will listen to us. We are as mourning orphans in our country; but our Father will take us by the hand. When he fulfills his promise, we will answer his talk. He means well. We know it. But we cannot think now. Grief has made children of us. When our business is settled we shall be men again, and talk to our Great Father about what he has proposed.

Brother: You stand in the moccasins of a great Chief; you speak the words of a mighty nation, and your talk was long. My people are small; their shadow scarcely reaches to your knee; they are scattered and gone; when I shout I hear my voice in the depths of the woods, but no answering shout comes back. My words, therefore,

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are few. I have nothing more to say, but to tell what I have said to the tall Chief of the pale faces, whose brother* stands by your side.

The celebrated chief, Puk-sha-nubbee, was famous as a warrior and as an orator. In his life time his influence, though circumscribed formally by district lines, was supreme over the nation. Even the Six Towns, Okla-hum-na-le, near where Garlandsville, in Jasper county, now stands,—the most warlike, rebellious and incorrigible part of the nation ever since the time of their famous chief, Red Shoes—never disputed the counsel of Puk-sha-nubbee.

On his demise, Pushmattaha rose to power. He was a self-made man, of obscure family, who first became famous as a successful hunter. It was then the custom of the Choctaws to go in squads or in parties, to the hunting grounds on the Ouachitta, Red river and Arkansas, where they often came in collision with the hunters of other tribes. In these expeditions Pushmattaha acquired great renown, bringing home with him more scalps than any other warrior. In a foray against the Creeks he was eminently successful, and thus he rose to the highest place in his district, in spite of his poverty. He was a man of imposing presence, with a sonorous voice and a graceful gesture. He was a proud plebian, who boasted no patrician ancestry. When asked about his parentage by an agent of the United States, he haughtily answered, "Pushmattaha has no father and no mother. The lightning struck a big oak tree and Pushmattaha leaped out of it a warrior just as he now stands." How he joined Gen. Claiborne in his campaign against the Creeks, in 1813, and with what vigor and fidelity he served, has been referred to in the preceding pages, and is detailed in the Life of Gen. Dale. While on this service, the chief, for some rudeness, struck a soldier with his sword. The General pointed out to him the impropriety of the act, and inquired his reasons for such violence. He explained the indignity and said: "Being only a private I struck him with the flat of my sword, but had it been you, General, I should have used the edge."

The chief, like many other great men, had a weakness for liquor, and indulged too frequently. On one occasion he saw a soldier tied to a post. Inquiring the cause he was told that the man had appeared in the ranks intoxicated. "Is that all?" said Pushmattaha, and he immediately untied the prisoner, remarking very coolly, "many great warriors get drunk."

He had two wives, and his defense of polygamy was about the best that has been made. Every woman is entitled to a husband. Nomadic tribes, like the Choctaws, are subject to frequent wars, and lose many of their males, and the females predominate. Therefore, if men are only allowed one wife many women would go without husbands, and their proscriptive right would be annulled.

In 1824, with a delegation of his people he visited Washington. LaFayette was then the guest of the Republic. The Choctaws waited upon him, and Pushmattaha delivered an address rarely surpassed in pathos and grandeur. The venerable Frenchman, and all who heard it, were deeply impressed.

* The Hon William Tyler, of Viginia, brother of the President of the United States recently appointed one of the Choctaw Commissioners.

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Greenwood LeFleur.

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This was his last speech. The voice of his father was then calling him to the spirit land. His parting words to LaFayette were: "We heard of you in our distant villages. We longed to see you. We have come. We have taken you by the hand. For the last time we look on the face of the great warrior whose fathers were the friends of our fathers. We go. 'Tis the last time we shall meet. We shall both soon be in the land of shadows."

In a few days he was seized with pneumonia which speedily ran its course. When he felt that his end was near, he had himself arrayed in his uniform of an American general, with his ornaments and his war paint. Gen. Jackson called frequently to see him, and asked his last wishes.

"*When I am dead, fire the big guns over me,*" were the last words of Pushmattaha.

He was buried, with military honors, in the Congressional graveyard, where his tomb may yet be seen.

Greenwood LeFleur, born in 1800, was the son of Louis LeFleur, a Canadian Frenchman, (who has been referred to in the early chapters of this work,) and a Choctaw woman. His father, in a long life of industry and integrity, had amassed a handsome fortune. He kept a noted house of entertainment for travelers, in the nation, on the road between Natchez and Nashville, and he was persuaded by some of these to send his son to Nashville for his education. He returned home in 1817, and it was soon perceived that he was no ordinary man. He had fathomed the nature of both the white man and the Indian, and was able to cope with either. He was shrewd and penetrating, social, yet sufficiently reserved, ambitious as Lucifer, yet guarded in the expression of it, an earnest advocate of reform and education, and giving his zealous support to the missionaries.

In 1824, under the democratic influences outside and around them, the warriors of his district, for the first time, chose a chief by popular election, and he was elected. Four years thereafter, he was re-elected, and his influence was greater than any other of the chiefs, and was felt throughout the nation. He accomplished many reforms. He induced many to send their children to school. He established regular meetings of the council for the adoption of laws to support teachers—to put down witchcraft and sorcery—to secure to every homicide a fair trial, the Indian custom being life for life, whether the homicide was accidental or malicious; to prevent infanticide, this sometimes being done in the case of illegitimate births; to encourage marriage, permanent residence, and cultivation of the soil, and religious instruction; to abolish the raising of poles over the dead, and adopt the usual style of christian sepulture. And to prevent the introduction and sale of liquor, under the penalty of a severe whipping. His own brother-in-law was the first to incur this penalty, and it was inflicted without mercy, under the immediate supervision of the chief.

This, substantially, put an end to the traffic, and had he been in power, this stern reformer would have reclaimed his nation and pushed it rapidly on to civilization, with probably a greater exemption from vice than some of the adjoining States. The treaty, however, stripped

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him of power. The great majority of his people removed, but he elected to remain on the large reserve secured to him by the treaty. He was an extensive slave-holder, a merchant, and a successful planter. He built a palatial residence, entertained with great hospitality and elegance, and the people of his county (Carroll) elected him to the Senate of the State. The State has perpetuated his memory by giving his name to one of its best counties.

NOTES FROM MY JOURNAL AS UNITED STATES COMMISSIONER.

MOURNING.—When a Choctaw husband dies the wife lays aside her jewelry or ornaments, and suffers her hair to fall dishevelled over her shoulders. Some six months after the cry for the dead is over the husband's mother (or if she be dead, his nearest female relative) ties up and dresses the widow's hair, and she is then at liberty to marry again. If she marries prior to this ceremony, or dances or flirts, she is discarded by the family of the deceased.

COURTSHIP.—Bah-na-tubbe, an intelligent fellow, in the course of his examination, stated that it was usual for the woman, especially widows, to give "the first banter," viz: first advances. This is usually done at night, in the dance, by squeezing the hand or treading gently on the foot of the favored warrior. Perhaps this may be rather a necessity than a freedom; because if a man should take these liberties with a squaw she would immediately resent it by attacking him with a stick, and every squaw present would assist her. Witness had seen twenty squaws thus beating a too ardent lover. These "banters" are often given by old women, invariably to very young men. Old women usually select a lazy fellow, who takes her for her house and her ponies. Witness had, when only eighteen, been taken by a woman of fifty, but he soon left her for a very young girl. When the "banter" is mutually agreeable the parties quietly slip out of the crowd, and when they re-appear are considered man and wife.

Courtship and marriage, however, are sometimes more formal. A young warrior who is in love applies to the maternal uncle—never to father or mother—and they agree on the price, which is paid to the uncle. On a certain day the groom and his relatives appear at an appointed place, dressed in their best, where they loiter till noon. The bride then leaves the lodge of her parents, and the friends on both sides gather about her. She watches an opportunity and flies to the adjacent woods, her attendants hovering around to cover her retreat. She is pursued by the female relatives of the groom. If she is anxious for the match, it is not difficult to overtake her. But if she dislikes it, she runs until she falls exhausted, and sometimes escapes, and wanders away to a remote village, where she is adopted and cannot be reclaimed. If the fugitive is overtaken, she is brought back among the groomsman's friends, but he has disappeared. She sits down, and the friends on both sides throw some little present in her lap. Each female relative ties a ribbon or some beads in her hair, and then the provisions brought by friends are divided among the company to be taken to their respective homes. The bride is then conducted to a little lodge adjoining her parents, and late at night her lover finds

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his way to her arms. In the morning they have disappeared, and the fawn of the woods must be sought in the camp of her husband.

DIVORCE.—The marriage endures only during the affection or inclination of the parties, and either may dissolve it at pleasure. This, of course, very often occurs, in which case the children follow the mother; the father has no control over them whatever.

OFFSPRING.—Children are never named after their parents, but take their names from some incident at the moment of their birth. In all that concerns the child, the oldest maternal uncle, or if he is dead, the nearest male relative in that line is consulted. Instances frequently came before the Commissioners, where a wife, though living happily with her husband, was induced by the maternal uncle to take her children and go west after "leaving him," as one of them expressed it, "without cook, child or comrade."

Generally the wife is very submissive. We met with but one case of a hen-pecked husband. In that case, it was shown that the wife packed up all the movables, took all the horses, and moved away some sixty miles. He followed after awhile. "She was," said the witness, "master of the camp, and he was the squaw."

It is the right of the wife, when a separation takes place, to take all the children to aid her to live, and even after her death her relatives have a claim to them paramount to the father.

THE DEAD.—Their devoted love of country may be traced to their traditions and customs. No people cherished more reverence for the dead. If a member of a family died from home, no matter how far, it was the ancient usage to carry his body back; or if that was impracticable, his ashes or his bones. To prove that a man had been buried in or adjacent to the house that he occupied, was considered conclusive proof of occupancy and domicile; a custom that prevailed so long and universally in the tribe, the Commissioners adopted it in their adjudications.

FUNERAL CEREMONIES.—It was formerly the custom to deposit the corpse upon a scaffold; well protected from intrusion, under which a small bark fire was kept. It there lay until decomposition supervened, when a set of men called Iksa-nom-bulla, or the Bone-pickers of the Ik-sa, or clan, were sent for, whose duty it was to strip the bones of the remaining integuments. They were an exclusive order of itinerants, with something of the sacerdotal character, and these last ceremonies could only be performed by them. They were painted and tattooed in a peculiar style, and wore their finger-nails like talons, to enable them to perform these revolting rites. The bones were then placed in a deep basket and interred in their cabins or camps. The widow and children set around the grave twice every day for three months, and weep, chanting a melancholy dirge. Some six months afterward his relatives and friends are invited to lament. They shroud themselves in a blanket and cry. These guests all bring a contribution of provisions, and after the cry, they have a feast, and sometimes a dance, or a ball play, but the immediate family of the deceased take no part in the festivities. This cry is regarded as the most solemn of obligations, never to be omitted when possible to be performed. To

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illustrate it, I abridge from my journal now on file in the office of Indian Affairs, at Washington:

"No. 72.—*Towah*, full-blooded Choctaw, supposed to be seventy years of age, presented her claim. *An-na-le-ta* deposed that at date of treaty claimant occupied, with her family, three cabins; had a good corn-field; their land was *yock-a-na-chic-a-ma* (good land); some time thereafter a white man named Wilkinson, ordered her off, saying that he had bought the land. Claimant had just lost a daughter, and she first remonstrated, and then begged that she might stay until she *cried* over the grave. Wilkinson angrily refused. Witness knew a friendly white man named Johnson. He, the witness, went to him, and he wrote to Wilkinson to let them stay till the *cry* was over. He consented, and when they had *cried* they all moved about a mile off, and built a *cha-pa-chook-cha* (bark house,) where they have resided ever since, not wishing to go too far from the dead.

In very ancient times, a spacious temple, called Tusk-a-chook-a, or the House of the Warriors, stood on the verge of the *Kush-tush*, the largest and oldest settlement in the nation, long since deserted. This temple was in the custody of an order of priests, called *Oon-ka-la*. When a great warrior's bones had been prepared for burial by the *Ik-sa-nom-bulla*, they sent for the *Oon-ka-la*, and even from the most remote village they were taken to the temple. The *Oon-ka-la* preceded, chanting a solemn hymn in an unknown tongue, and the relatives and clansmen followed with loud lamentations. Arriving at the temple, the priests purified themselves with lustrations, and administered to the mourners a beverage called the white drink. No bystander was allowed to enter the temple. The priests, holding wands in their hands, passed slowly round it three times, muttering incantations, and then they took the bones within the sacred edifice, singing a hymn in a language unknown to the spectators. This was the practice from remote times, until the French and English traders entered their territory, when the Great Temple was struck by lightning and consumed. This created great alarm throughout the nation; the temple was never re-built, and the city of Kush-osh-ah gradually mouldered away.* After this, they began to deposit their dead in the earth. The face of a warrior was painted red and black, the war colors, and his arms and ornaments placed in the grave, that he might be able to resist his enemies or kill his game in the distant shadowy hunting grounds to which he was supposed to have gone.

ORIGIN OF THE CHOCTAWS.—The traditions of the tribe were intended to foster strong local attachments. They claimed to come, originally, from the west. A portion of their people they left behind them. They traveled (*ho-pah-ka*) a long way, encouraged by their *Oon-ka-la*. These priests marched in the centre, bearing a sacred book wrapped in skins. From this book they sung in an unknown tongue, whenever the wanderers became despondent or discontented. They encountered no other people on the route, and passed over a desolate country. A dreadful epidemic broke out among them, and all the priests died but the bearer of the book. They burned their dead, and

* It is uncertain whether this ancient capital was in Neshoba or Kemper county.

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bore along with them part of the ashes. At a certain point on their journey, near a great river (called by the Indians *Mec-a-she-ba*, by the French, Mississippi,) owing to the frightful mortality, the tribe separated. A portion inclined northward, and took the name of Chickasa, after the great warrior who led them. The main body traveled nearly due south, until they came to the Stooping Hill, *Nane-wy-yah*, now in the county of Winston, Mississippi, on the head waters of Pearl river.* There they encamped, and still continued to die. Finally, all perished but the book-bearer. He could not die. The *Nane-wy-yah* opened and he entered it and disappeared. After the lapse of many years, the Great Spirit created four infants, two of each sex, out of the ashes of the dead, at the foot of *Nane-wy-yah*. They were suckled by a panther. When they grew strong and were ready to depart, the book-bearer presented himself, and gave them bows and arrows and an earthen pot, and stretching his arms, said, "I give you these hunting grounds for your homes. When you leave them you die." With these words he stamped his foot—the *Nane-wy-yah* opened, and holding the book above his head, he disappeared forever. The four then separated, two going to the left and two to the right, thus constituting the two Ik-sa's or clans, into which the Choctaws are divided. All the very aged Choctaws, on being interrogated as to where they were born, insisted that they came out of *Nane-wy-yah*. One old fellow, who was so dirty it was thought he might be assessed for real estate, swore that he came out of the hill just one thousand years ago, and had never been able to shake the dirt off his back!

It is not surprising that a people having this notion of their origin—created, as it were, out of the very dust of their fathers—parcel of the soil they occupied—under the injunction of a mysterious guardian never to leave it, should be devoted to their country, and anxious to die in its embraces.

NO MENTION OF THE DEAD.—A singular fact was established before the commissioners: the Choctaws will not speak of the dead. Our instructions required us to exact proof of the number of children each claimant under the 14th article, had at the date of the treaty, because each was entitled to a certain portion of land. Upon being interrogated the claimants uniformly omitted in the enumeration those that were dead, although well aware that by this omission they would lose a portion of land. Very old claimants would even deny that they

* It is doubtful whether this should be rendered Stooping Hill or Winding Hill. It is on the head waters of Pearl river, and not far from the geographical centre of the State. From information derived from Mr. James Welsh and Dr. S. P. Nash, of Neshoba county, the mound is described as some fifty feet high, covering about three-quarters of an acre, the apex level, with an area of about ¼ of an acre. On the north side of the mound are the remains of a circular earthwork or embankment, that must have been constructed for defensive objects. Many of the Choctaws examined by the Commissioners, regard this mound as the mother, or birth-place of the tribe, and more than one claimant declared that he would not quit the country as long as the Nan-a-wy-yah remained. It was his mother, and he could not leave her.

It was this same feeling of devotion to their mother land that inspired so many of our Mississippians who were opposed to secession, to adhere to their State, to suffer and to die for it, or to sacrifice for it all their possessions, in the late unhappy war.

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ever had more children than they presented to the commissioners, and the facts had to be proved by kindred or neighbors. To arrive at the truth in these cases, we required them to arrange their families in a line according to their ages. They uniformly left a vacancy in the line to denote where the deceased would have stood; and this established, not only the number but the age. Thus, if the second child be dead an interval of some three feet was left between the first and the third child. Sometimes they planted stakes along the line to represent the dead, but could not be induced to mention their names.

POLYGAMY.—This was tolerated by the Choctaws, but not universal. When a man had two wives, and died, each wife claimed to be the heads of separate families. They always occupied separate cabins, and generally ten or more miles apart. No instance came before us where a man had two wives in the same house, or even in the same yard or enclosure, unless they were sisters, and then they sometimes lived in the same yard, but in different houses.

An amusing instance came before the commissioners. I-og-la presented her claim. The witness, Hi-a-ka, deposed that at the time of the treaty claimant was one of the wives of Tusk-a ma-ha, who had emigrated west. He had many wives. He made the circuit among them regularly, and thus passed his time. He neither hunted nor worked. He had ten wives, scattered round the country, fifteen or twenty miles apart, and he had his regular stands, going from one to the other, being well fed, and a favorite with all of them. He was a fellow of medium height, about five feet, seven, well built, very muscular and active, lazy and fond of eating and drinking. He provided his own clothing—nothing more. He made his home at the house of Ho-pia-ske-tena, (Little Leader,) at the old town of Yocka-no-chickama. Two years before the treaty he married claimant, but only visited her about two days in every month; her house was one of the stands on his circuit; he never worked for her or contributed to her support; it was his custom to spend some time with every woman when he first took her, but the novelty soon wore off, and he went his usual round. Claimant had a house before she married this man; he finished it for her; he had several wives before he met her, and took several afterwards. He threw none of them away. Witness never heard any complaint on the part of his wives of neglect on his part. But when he emigrated, he left them all."

PECULIARITIES.—Wm. Cobb, an intelligent half-breed, declared that he never knew the name of his mother, though living under the same roof with her till two years ago.

Children are never called after their parents, but usually from some incident shortly after birth.

The Choctaw women are exceedingly modest and usually droop their eyes in conversation. The young girls, when brought into court, covered their heads.

When Col. Cobb was asked by the commissioners, how many of his warriors he could count, he looked very sad, and said, "We cannot count our warriors now; they are scattered and gone." Being interrogated as to a particular fact, he replied, "I do not know, and red man does not like to guess."

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Further on he said, "When I think a question is right I will answer it. When I think it is wrong, I will not."

It is the custom among the Choctaws when a daughter marries, and is deserted by her husband, or by his bad treatment is compelled to leave him, she returns to her father and her children are adopted as his own, and share alike with the rest.

When a witness was asked if he had ever been sworn: "Yes," said he, "I have smelt the book twice."

Marriages take place early; seduction before marriage very rare; adultery more common; divorces frequent. Pah-lubbee married his step-daughter; he was greatly censured. They never marry into their own Ik-sas or clans.

The patience of the witnesses was wonderful. The winter was very bleak—snow and sleet and cold rains. They were in rude bark camps, scantily fed, and badly clothed, yet day after day, and week after week, they waited, without fee, to prove up the claim of a neighbor or of some orphan whose parents had been long dead. Case 160. Ho-yubbee, a cripple, the only one we have seen, on being asked his age, says he is 800. He is perhaps 70. His wife, who is at least 60, declares she is only 15. We had one claimant only who was blind (in one eye only) and one who was hard of hearing.

NO IDEA OF AGE.—Case 362, He-na-no-yah, says he is six years old, but on being questioned corrects himself, reflects, and says he is 71. He is apparently upwards of 80.

LOVE OF COUNTRY.—They have always manifested a strong attachment for the soil. It is clearly established that when the last treaty (Dancing Rabbit Creek), was made, two-thirds of the nation were opposed to it, and left the place in disgust. It was finally made through the influence of the chief of the Yazoo district, Greenwood LeFleur, Itta-oke-chunka or Greenwood, sometimes called Oke-suk-uppa or Oke-chunka, the tough hickory.

To wring them into a treaty and compel them to remove, the legislature of Mississsippi, in 1829, with but one dissenting voice, passed a bill abolishing their tribal character and distinctions, attaching to the adjacent counties the whole Choctaw territory and extending over it the laws of the State. Notwithstanding this law and the annoyances to which it subjected them, an immense majority opposed the surrender of their lands. After the treaty had been made by the insertion of the 14th article, which permitted as many as chose to avail themselves of its liberal provisions, to remain in the country, government exerted all its power to induce them to emigrate. The agent, whose business it was to register the names of those desirous of continuing in the country, after a certain time refused to act, having received instructions to that effect from Washington, as he declared to the applicants. He held out every inducement to them to go west—subsistence on the road—transportation—compensation for their chattels; supplies and annuities; but they persisted in their demand for land, under the 14th article, which he rejected, and drove them from the agency. The chiefs, and the white men and half breeds residing in the nation, prompted by government or satisfied that emigration had now become

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a necessity, exerted their influence in vain. The agents of the War Department and the state authorities co-operated for the same purpose. The chiefs, the captains, the half-breeds, the men of wealth, all went, but five thousand of the pure blood, though thus deserted by their counsellors and leaders, and even by their missionaries, resolved to bury their bones with the ashes of their ancestors.

Mr. Grant Lincacum, a respectable citizen of Lowndes county, familiar with the Choctaw tongue, deposed that in 1832, he passed through a portion of the Choctaw country, in Mississippi, directly in the wake of an officer sent there by the Secretary of War. That gentleman, finding he could not persuade the Indians to move, had menaced them with a forcible dispossession, and declared that a body of soldiers would soon be upon them. Under this threat their homesteads were immediately deserted; even the women and children had fled to the swamps, and camped—determined to die there. For twelve years they thus continued; subject to laws they could neither read nor comprehend—annoyed with suits for misdemeanors of which they were unconscious—within the sound of Sabbath bells, but beyond the pale of religious effort—growing poorer every day by contact with a shrewder race—looked down upon as too inferior for intermarriage or social intercourse; uneducated; unadvised; their claims unsettled; disregarded by the federal government, and obnoxious to the State authorities; natives of the soil, but regarded as intruders by a new people who came pouring into the territory once all their own, and which *they* never consented to sell; circumscribed by the whites, and occupying the most barren and secluded spots, their houses and farms having been seized and occupied; the forest now traversed by the white hunter and his dogs, affording them but a precarious subsistence; constantly hearing of the prosperity of their brethren who had emigrated and exhorted to go and share their affluence and their annuities. Yet, in the face of all this, five thousand Choctaws refused to leave the soil that gave them birth.

The policy of immigration pursued by our government since its first inauguration, has probably been wise, and perhaps, in the end, may be better for the Indians. But it has very harsh features; has sometimes been attended with great oppression; and often very solemn stipulations have been wholly disregarded.

But without going into this question it is impossible not to love a people who exhibited such attachment to their native land. This is the foundation of all patriotism. The most heroic actions in history spring from this source. In the South it should be cultivated and impressed on our children; the first lesson and the last, in every household, should be "God and our native soil."

STATURE AND AGE.—Of fifty-nine men, all but two, full-blooded Indians, the average age was 48½ years; average height 5 feet 6 inches. Of these 59, the oldest was 100 years, two 80, and 75, one 70, one 62, five 60. The two tallest men were 5 feet 10½. The shortest were five of 5 feet 2⅔, and two 5 feet.

Of 47 women, all but two full-blooded Indians, the average age was 58¾ years; average height, 5 feet 1 inch. Of these one was

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adjudged to be 95; three 90; two 85; five 80; one 75; five 70; six from 50 to 68; ten between 60 and 55. The tallest woman was 5 ft. 6, and the shortest 4 ft. 7½.

ADOPTION.—The custom of adopting relatives or orphan children is very common. Even married people, who have children, occasionally adopt one or more. They take an equal part with the other heirs, and are sometimes even allotted the best share.

JEWELRY.—From the earliest times, they had skillful workers in metals. They made annual hunts or war-raids west of the Mississippi, in small parties, among the Caddo's and other tribes that traded with the Spaniards in Mexico, and brought back silver in bars. This was fashioned into armlets, nose and ear-rings, broaches and other ornaments, which both sexes took pride in displaying.

SUPERSTITIONS—AN UNBELIEVER.—They were very superstitious; believe in witches, conjurers and apparitions, and are afraid to travel by themselves at night. All that we examined believed in a Supreme Being, and in the immortality of the soul, and in the solemnity of an oath, one claimant only excepted Ah-hi-a-chubbee, or Find-him-and-kill, a full-blooded Choctaw, and the only one we saw with a dimple on his chin. He had no idea of a Good Spirit or of the obligations of an oath. No idea of Evil Spirits, or of a future life. Declares he knows nothing of such things, and does not wish to know; that he is a warrior who goes his own way, and will go no other way. Of course, this claimant was not sworn, but we received his declaration of his case. On being interrogated, he declared that the statement was true in all particulars. "A man," said he, "who will lie is not fit to associate with warriors, but should be compelled to keep company with squaws."

Several witnesses confirmed his statement, and moreover, swore that he was a singularly upright man, and had never been known to tell a lie.

This man had no sign of the organ of veneration, which among the Choctaws, is usually well developed.

Mr. H. B. Cushman, speaking of the superstitions of the Choctaws, relates an amusing incident that occurred when the Missionaries first settled at Mayhew:

"Their corn crops were often materially injured when in the milk, by worms, which sometimes devoured a third part of every ear. They believed that these ravages could be prevented by gathering and burning a number of worms in every patch of corn, but to be effective the worms must be collected and burnt by a pair of twin boys. This condition was found impossible, until it was ascertained that the two little sons of Rev. Dr. Cushman were twins.

"One bright morning in June," says Mr. Cushman, "a band of warriors rode up, stated the case to my father, and requested the loan of his boys. My father, knowing that it was not the time to ridicule or reason with them, gave his consent, mother more reluctantly, and we were each (then about seven years old) placed before a mounted warrior, and carried to the village. We found it in great excitement. The wonderful twins of the good and wise pale-face had come to save their crops, by the gifts the Great Spirit had given them.

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"We were greatly admired and caressed, and every little dainty in the village was spread before us. They then handed to one of us a small frying-pan, and the other a brand of fire, and we were conducted to the field and told how to capture the enemy, and how to dispose of him. We then entered the premises alone, and for two hours carried on the war, in various parts of the field, seizing the worms and burning them in the pan.

The smoke, the odor, and our childish shouts gave token of victory, and a warrior was sent to escort us to the village.

Again the whole population crowded around, to thank and praise us, and we were feasted on tom-ful-la, honey, venison, and nuts. After the feast, we were escorted to the next village, where the war was renewed, with the same demonstrations, and by sun-down we were carried home in triumph, the warriors from both villages forming our escort. We were ever afterwards special pets and favorites of the Choctaws."

The primitive Choctaws believed that the eclipse of the sun was caused by black squirrels who had attacked and were devouring it, and that unless frightened away, the world would be left in darkness. Hence a general clamor was made. The women and children screamed and beat their pans and kettles. The warriors seized their rifles—took deliberate aim, and as long as ammunition lasted, continued to fire at the sun. The dogs (always numerous among the Indians,) seemed to apprehend the common danger, and howled in concert. Through the entire nation, this tumult was heard, and continued until the eclipse passed away, or as they said, the squirrels had been frightened off.

NAMES.—The Choctaws, I have been told, have no profane words in their language, though they have obscene epithets in abundance. The letter R is not known to them. They have no words that remind one of other tongues. *Allah*, has come. *Alla-luah*, the name of a creek. *I-o-mah*, the name of a woman. *E-a-pol-lo*, the name of a man. *Hong-kio*, a woman's name. Eve or Eva, frequently occurs as a component: thus *O-co-sho-eva-ca-a-a*, a woman's name. *No-ah*, the walker, is a common name. *Yimma*, Faith, sounds like the Arabic. Their names, both of persons and things, are as full of music as the ancient Greek. Thus we have:

Ish-pah-na, or the Spaniard.
Pis-took-sha, or the drummer.
Te-ah-nin-tubbee, or kill both.
Lo-mah-ka, or the hiding robber.
Me-o-chi-yah, or the traveller.
Al-bin-tah, or he who acts a second time.
Mon-tah or mon-tubbee, or universal killer.
I-a-min-tah, or double killer.
Ah-ta-hubbee, or he who killed last.
Nok-e-chickama, or the good arrow.
Wa-tubbee, or off-hand killer.
Pah-ha-cho, or Prophet finder.

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Tus-ca-nola, or the warrior's messenger.
Ta-ha-kah, or the lost creditor.
Ta-fa-mah, the man that meets.
Can-na-cha, the trickster.
Pah-na, the spoiler.
Ah-pok-a-na-tubbee, the Great Hunter.
Fa-nubbee, the man that kills.
Pis-sah-ho-ke-a-tubbee, he sees and kills.
To-bin-cha, the sunbeam.
Bola, the traitor.
Ah-hi-o-chubbee, find him and kill.
Tus-ka-homo, Red warrior.
Il-le-hi-ah, Death messenger.
Nok-a-wa-lubbee, the bullet that flies and kills.
Pah-sho-nah, the scalp bearer.
Tal-o-wah, the songster.
E-ah-ho-nah, the blush.
Hush-a-luah, the burning sun.
Oka-ho-la, beloved water.
Iksa-nam-boola, bone picker of the clan.
A-mo-te-ah, gone to gather.
Che-mi-ola, womens' names.
An-no-la, womens' names.
Lah-la, womens' names.
Na-wa-to-nah, womens' names.
Pi-o-to-nah, womens' names.
O-na-ho-ka, dawn of day.
Na-shoba, a wolf.
Na-sho-ba-a-busha, when the wolf was killed.
Tim-bo-lingo, close by.
Ho-pah-ka, far off.
Hit-o-chah-nok-a-bee, crooked ball ground.
Al-la-luah, name of a creek.
Pot-toh-lok-a-na, name of a creek.
Sub-oon-te-la-tusk-a, a light horseman.
Sha-ko-loke-o-kah-hick-ki-a-bogue, cypress standing in the water creek.
Lune-lu-osh-ah, Burnt Frog, name of a Choctaw town which stood where Philadelphia, the county seat of Neshoba (wolf) now stands.
Kersh-osh-ah, fleas there.
E-ah-osh-wah, the deserted or departed people, new called Yazoo Old Town.
E-mo-gal-ush-ah, the house or home of our people, called now, Mugalusby Old Fields.
Sar-pah-chitto, Big field, now Dixon P. O.
Cof-fa-ta-liah, persimmons plenty.
Su-nook-a-hab, plenty of sand or sand town.

STREAMS.

Hot-che-ah, now Pearl river.
Bogue-chitto, big creek.
Talla-hic-yah, standing rock.
Nok-chee-fane-tub, from a shrub, so-called, that grows on its bank.
Coa-ho-ma, Red tiger.
Opa-ha, Owl creek.
Co-po-lah, water so cold it bites.
Funna-yok-a-nah, Squirrel creek.
Coon-shuck, Red brake.
Ken-to-ka, beaver there.
Pe-osh-a, to stay at one place, a stream with little current.
Tal-a-osh-ah, no metal there.

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Ne-ta-ka-cha, pronounced ns if written Ne-*tar*-ka-cha, accent on penult.
Ma-shu-le-tubbe, pronounced *Mar*-shu-la-tub-be, last syllable strongly accented.
Push-ma-ta-ha, as though written Push-*mar*-ta-*har*, strong accent on har.
Oka-tib-be-ha, pronounced *Okar*-tib-be-*har*.
Sta-heen-ka, pronounced *Star*-heen-*kar*.
Nus-si-che-a, pronounced *Noos*-se-che-*ar*.
Shuh-ha-tan-cha, pronounced Shook-nar-tarn-cha.
Nox-u-bee, contraction of Oka-naka-shua, pronounced Okar-narke-shuar.
It-ta-tam-big-ba, pronounced It-ta-tarm-big-ba.
Ne-sho-ba, contraction of Na-shu-ba, pronounced with accent on penult.
Choctaw, originally Chacta, pronounced Chark-tar.
The accent is invariably emphatic, and generally on the last syllable.

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APPENDIX.

NATCHEZ IN THE OLDEN TIMES.*

EIGHTY-THREE years have I spent in Natchez and its vicinity. Of the companions of my boyhood all have passed away and the hopes of my youth have turned to memories of the past. The evening shades of my life are lengthening towards the east and soon the sunset will come. I was born at Kaskaskie, Illinois, on Christmas day, 1787, and on Christmas day, 1788, my father landed with his family in Natchez. At that time there were but two or three houses on the hill, the whole town being under the hill, which was then quite an extensive tract. Below, where is now the ferry landing, there was quite an extensive and heavy battery, known as "the King's Works," and just above, there was a quarter race track extending from the bluff towards the river. There was a Spanish garrison in the fort, a little below the present residence of Stephen Rumble, and the house of the Governor was about where that of Dr. Harper now stands. When the town begun to be built on the hill, the Spaniards settled in this part, and other persons generally built east of the presnt Commerce street. These being mostly Irish, this part of the town was called Irish town, whilst the other part was known as Spanish town. The Governor was Don Manuel Gayoso de Lemos, an intelligent and liberal man, educated in England, at Westminster, and speaking English as fluently as a native. The mild, paternal rule of the good Governor makes an old man revert with pleasure to the scenes of his youth, and even at times to regret the change of government.

The Catholic religion was the only one publicly tolerated in the country. The priests exercised much influence, and were very generally loved. They had great power, but used it very mildly. Irish priests were usually selected for Natchez, because there were so many English-speaking people. I well remember Father Brady—the best shot, the best rider and the best judge of horses in the district. And Father Malone, with a wink and a joke, and a blessing and an almo for every one—welcome at every wedding, every frolic and every dinner—most exemplary in the discharge of every duty, but with a slight weakness for his national beverage on St. Patrick's day, when his patriotism would prove stronger than his head. However, in those days, and for years after, the

*Recollections of Mr. George Willey, a venerable and much respected citizen, who died in 1874. His father was Maj. James Willey, of the Revolutionary army, an early settler in Kentucky, who immigrated to Natchez, then under Spanish rule, in 1788. George Willey, when the Indian war of 1813 broke out, though exempt from military service, owing to a fraction of his shoulder, volunteered and served two campaigns, one on the Alabama, and the other at New Orleans. He narrowly escaped the massacre at Fort Mims, and was in the detachment under Maj. Kennedy, that buried the remains. A better man, and a truer patriot we have never had here. These recollections were his "table talk," taken down nearly in his own words. It was gratifying to find that this intelligent and truthful witnesss cherished a grateful remembrance of the kind and paternal rule of the Spanish provincial authorities.

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clergy of all denominations took their morning nip and their midday toddy, and were always considered the best judges of Madeira.*

Attempts were made by several protestant ministers to preach, but were not encouraged. The only sermon I remember to have heard during the Spanish rule was preached by an Episcopalian named Cloud.† Governor Gayoso was present and walked home with my father after the service. He expressed himself in their conversation as being individually in favor of religious toleration, "but," he added, "you know I have a master." The next day Cloud was notified that he must not preach again, but he, persisting in doing so, was shortly arrested and sent out of the country.

My father's house was on the lot now occupied by the store of Wm. Earhart, and all north of that was in woods. In these woods the Indians, who came in every year to receive their presents from the Spanish government, used to encamp. The Spaniards seemed to be afraid of them, and in their drunken orgies, which always followed the distribution of government presents, they were controlled entirely by their interpreter, an old Frenchman named Baptiste, who with his whip used to lash them into subjection, in their most disorderly and boisterous outbreaks. It is curious that the Indian, who seems to have no fear of a gun or knife or other deadly weapon, has a great dread of a whip. I remember once, many years later, an Indian riot, in Natchez which defied the strength of the civil authorities, and even rendered it necessary to call out the troops, which was instantly quelled by a burly overseer, who rode in amongst them with his whip, and scattered them like chaff before the wind.

I once witnessed an Indian execution, which took place about where the gas house now stands. The man was condemned, according to their retaliatory laws, to suffer death, and the day was fixed for his execution. He was not confined in the meantime, but suffered to go where he pleased, and he used the time in going from house to house and begging for whiskey, and inviting every one to come and see him die. On the appointed day he was promptly at the place; assisted in digging his own grave, which was done with knives and hatchets, and from time to time he would lay himself down in it, to see if it would fit him, and when it was completed to his satisfaction, he took a parting drink with all around, and then stood with the most stoical indifference at one end of the grave, and gave the word to the executioner, and in an instant fell back into the grave with the fatal bullet through his head, and was at once covered up.

It will seem almost incredible to some that the lives of two men should embrace a period, beginning with the great English revolution and commencement of the reign of the House of Orange, thus comprehending all the great events of modern history; yet such I can shew in my own life, and that of another. I have often seen a man named McCoy, who at that time was said to be a hundred and twenty years old. I do not know where he lived, but it was somewhere not far from town, for he used to come in to mass on occasional

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* In confirmation of this, I extract the following from the MS. journal, kept by the venerable Gov. Sevier of Tennessee, in 1815, when he was running the line between the Creeks and Cherokees, written only a few days before his death:

"July 17th. About eight years ago the Creek Indians seized and took away a large lot of whiskey belonging to Parson Blackburn, which was laying at the Spring Frog's, a little below Turkeytown, which they said was within their territory. When the Cherokees were called on in behalf of Blackburn for compensation, they excused themselves on the ground that the Creeks owned the land, and could do as they pleased in their own country." The parson referred to was one of the most eminent Presbyterian clergymen in the West, and was largely engaged in the whiskey business, and came near involving the country in war with the Indians on account of this seizure.

The best whiskey brought to Natchez thirty years ago was brought, twice a year, in a flat-boat, by the Rev. Moses Trader, of Ohio, an eminent Methodist, who did a large business in this line for a series of years, and preached at Natchez and Washington with great fervor and unction. He was a most excellent man, though he enjoyed his bitters, his midday toddy and his nightcap, always saying that he was not afraid of his own whiskey, but "a little skeery about any other."

† Rev. Adam Cloud, who subsequently lived and died in Jefferson county.

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Sundays, walking and leading the horse, on which was mounted his son, who was from the infirmities of age unable to walk. After mass they would come to my father's house, and often have I listened to his wondrous recitals of his varied and active life. The campaigns of Marlborough, the defeat of Gen. Braddock, and the massacre of the French in Fort Rosalie by the Natchez Indians, were all told by him with the vivid accuracy of a participant. Now put this man's age and mine together, and it will carry you back to the days of the "Merry King Charles."

The houses built by the first settlers on the hill were mere shanties. There were no saw mills to furnish lumber, and the timber was split from the tree with the axe and fro. Probably the oldest house now existing in Natchez is the one occupied by Mrs. Postlethwaite, on Jefferson street, between Union and Rankin. It was at one time kept as a tavern by a man named King, and was the stopping place of western men on their return from New Orleans, after selling out their flatboats of produce.

To each settler, who would put up a house in the town, a lot was given by the authorities at a nominal price; but their title was not always a secure one. If the Governor wanted the lot for some favorite he generally managed to make the occupant give it up; most commonly, however, in exchange for a lot, or land, in some other place. Indeed, any opposition to the will of the Governor was generally very promptly got rid of, but the execution of justice was just as prompt.

For many crimes the privilege of sanctuary was allowed, and I have often passed the church early in the morning, and found a Spaniard with his finger in the key hole of the church. The commission of crime was not greater than in frontier settlements of our own countrymen, and indeed all of bad reputation which Natchez ever acquired, was after it came into the hands of Americans.

A horrible tragedy made an indelible impresion on my memory. On St, Catherine Creek there lived a man named Condy, who was of that wild and roving disposition so common among frontier people. His wife was a beautiful but frail woman, but they were bound together by a family of three lovely children. The suspected intimacy between his wife and a Spanish officer, had driven Condy to madness; and in his rage, he took a razor and cut his wife's throat. He then took his little ones, and one by one, laid them by their mother's side and killed them all. Then laying himself down beside them, he blew out his own brains. I saw the five laying side by side in death. The well-known disposition of the Spaniard to use the knife in all their quarrels, induced the governor to issue an order, forbidding any one to carry a knife, or other weapon of iron or steel, but the Spaniards evaded it by making a kind of stiletto of hardened wood, with which they managed, on more than one occasion, to kill one another. The founders of many of our wealthy families were poor but adventurous, and energetic men, whose fortunes were built up not only by their own energies, but by fortunate circumstances. As an exemplification of the instability of fortune I have seen the first generation begin life in poverty, and build up wealth. The next generation, as a rule, have kept and improved the fortunes their fathers acquired, but in a large majority of instances the third have died as poor as their grandfathers commenced. When the time at length arrived when the Spaniards were to be pushed out, although the great mass of American or rather English speaking inhabitants, were rejoiced, still that feeling was by no means unanimous. Quite a number of the citizens loved the Spanish rule, and not a few followed them in their exodus. The first United States troops that arrived was a detachment of two companies commanded by Lieutenant Pope, one of the companies under Lieutenant McCleary. A temporizing and evasive policy was, as usual, pursued by the Spanish authorities, and on the part of many military officers in the United States army there was an evident desire for hostile conflict between the countries, thus opening to their ambition the prospect of conquest of the Spanish provinces of Louisiana, Texas, and Mexico. Fortunately the arrival of Capt. Guion, a man as prudent as he was patriotic and honest, and on whom devolv-

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ed the duty of seeing the treaty carried out in good faith, soon brought about an agreement between the Spanish Governor and himself, according to which the Spaniards evacuated the fort. This took place at night, and greatly to the surprise of the inhabitants, though probably not to Guion.

Governor Gayoso died shortly after he went to New Orleans, and the story at that time was that an order from Spain arrived after his death to send him to Spain in irons, and that it was literally obeyed by taking up his body and putting chains upon the senseless corpse and sending it thus to Spain.*

The first American Governor we had was Winthrop Sargeant, and about the same time came Gen. Wilkinson, in all the pomp and style of a conquering hero. Then, for the first time was seen an American coach, and it was an object of more curiosity, with its four splendid black horses, than even a steamboat was in later years. A printing press also arrived about this time, and under the management of Andrew Marschalk, was soon engaged in the, to us, strange business of printing laws. The printing press was a strange thing, but printed laws was no less novel. The first code was known as Sargeant's laws. Another character of great importance at that time was Col. Ellicott, the commissioner on the part of the United States, to establish the boundary line between the Spaniards and us. After a great deal of wrangling between him and Wilkinson, and a very long delay, he at length accomplished his work. The line was marked by cutting a broad trail along the line as it was run.

After the acquisition of the country by the Americans the population increased very rapidly, and the Spanish and other foreign classes as rapidly disappeared. The regular American Courts were established for the administration of justice, which although they were an improvement on the old system of one-man power, gave little more satisfaction. There was just as much complaint by one party or the other of the want of justice, as there was when Gov. Gayosa decided their disputes according to his own judgment. A jail took the place of the old calaboose, into which men were put for the crime of going in debt, and they were kept there too, probably to keep them from paying the debt, and thus punish their creditor for the equally flagrant crime of allowing them to get in debt to him. I remember one case, in Gov. Sargeant's time, of a man who stayed in the jail (which was the house opposite the store of Mr. Earhart, on the corner of Franklin and Union streets) until he died, and as the removal of his body from the jail would have thrown the burden of his debt upon his family, he was buried under the jail, and there his dust reposes probably to this day. On one occasion a man named Savage, was committed to the jail for some flagrant breach of the peace. He was as savage by nature as he was by name, and in his rage and fury at his confinement, he begged the bystanders on the outside of the jail to furnish him something with which to take his life; they of course refusing, he reached out his arm through the grating, and seized a junk bottle which happened to be within reach, and breaking it, with one of the pieces he cut his throat. An effort was made by a physician to sew it up, but he tore open the wound with his hands, and held it open, until exhausted by the loss of blood, he died. The old jail, too, was the scene of the first public disgrace to the noted Mason, who afterwards with his robber band became the terror of travelers from the Ohio river to New Orleans. Mason and his son were brought to Natchez and lodged in jail, charged with the robbery of a man named Baker, at a place now in Hinds county, where the road crosses a creek still known as Baker's Creek. They were defended on their trial, by a distinguished lawyer named Wallace. He, after the manner so common with lawyers, went to work to get up a public feeling in favor of his clients, and succeeded so well that, although the Masons were convicted, the general sentiment was that they were innocently punished. They were both convicted, and sentenced to and received the punishment of thirty-nine lashes and exposure in the pillory. I witnessed the flogging and shall never forget their cries of "innocent," at every blow of the cow hide which tore the flesh from their quivering limbs, and until the last lash was given they shrieked the

*Gayoso's ashes moulder in the soil of Louisiana. He died in the government house of yellow fever.

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same despairing cry of "innocent," "innocent." After they were released the elder Mason said to the surrounding crowd, "you have witnessed our punishment for a crime we never committed; some of you may see me punished again but it shall be for something worthy of punishment." He and his son then shaved their heads, and stripping themselves naked, mounted their horses and yelling like Indians, rode through and out of the town. I never saw either of them again, until I saw, several years after, the ghastly head of the elder Mason at Greenville, where it had been brought to claim a reward of two thousand dollars which had been offered for it by Governor Claiborne. My impressions in regard to him in early life were sympathetic, and I attached to his career a great deal of romance, until a later period, when I met with a Mrs. Watkins, one of the principal witnesses for the State against Mason. I asked her if she really thought Mason was guilty of robbery and murder. "I am sure of it," was her answer, "he was guilty of many crimes for which he ought to have been punished." "I was living," she said, "a short distance this side of Rocky Springs, and as most of those persons did who lived on the public road, I furnished entertainment for travelers. Mason was my neighbor, living some two miles back from the road. One day three men stopped, and asked to have their dinner, which I immediately set about preparing. While thus engaged Mason rode up, and came in, and walked back and forth on the gallery, which was in full view of the kitchen where I was cooking. I noticed him as he passed the saddle bags of the travelers, which were placed on the gallery, he managed to give each of them a push with his foot as if to feel their weight. After having apparently satisfied himself that the saddle bags were well filled with specie, he bade me good day, and rode off. The next day the three travelers, Baker and his two friends, were met at Baker's creek by a party with their faces blacked, and robbed. Shortly after the robbery Baker returned to my house, and asked me the name and residence of the man who had come in while they were waiting for dinner the day previous, and on my telling him, he at once went to Port Gibson and got a warrant from Judge Burnett for his arrest. He got the sheriff and a horse and reached Mason's house at daylight, where he found him and his son, and on examination the black was found to have been imperfectly washed from their faces. Notwithstanding their disguise they were recognized by Baker and his companions, and on their evidence were arrested, but escaped.

Mason and his gang, with its extensive ramifications, afterwards became the terror of the Mississippi valley. The robber band was so numerous that they were able to resist, successfully, a considerable organized force that was sent to break them up. The Governor of the Territory at length offered a large reward for the head of the ring-leader; and one of his own gang, tempted by the bribe, succeeded in killing him, and cutting off his head, brought it to claim of the Governor the price of blood, which was paid to him. But unfortunately for the traitor, he had no opportunity for the enjoyment of the price of his treachery. He was recognized by a gentleman, the late Gabriel Winter, as one of a party who had sometime before boarded and robbed his flat-boat. He was at once apprehended, and shortly after convicted of this crime and hanged at Greenville.

Another frequent inmate of the old jail, who made a strong impression on my mind, was a married woman, named Mrs. Cotta. She was a woman of brilliant mind, of high culture, and of a delicately sensitive organization. Her husband, to whom she was devotedly attached, was killed by a man named Rapelji. The shock was too great for the sensitive nerve of his delicate wife, and the intellectual woman became a raving, but most brilliant, maniac. To her loss of some of the faculties of the mind others seemed to be added and intensified. In her ravings her denunciations of Rapelji, and her appeals to man and to heaven for justice against the murderer, she seemed to be inspired, and crowds of rough men would listen in rapt attention, with the tears streaming from the eyes of some who seldom shed a tear. Rapelji was acquitted of the charge of murder, and the poor maniac woman soon went to join the loved one for whose loss her reason had fled.

Many of the old pioneers, who had borne the hardships of the early settle-

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ment of Kentucky and the Illinois country, came to Natchez after it became a part of the United States. I have often listened to their conversations in which they and my father and mother recounted their hair-breadth escapes from savage beasts, and more savage men, in the times that tried men's souls. On one occasion, I remember, a very old man, named Crayton, recalling to the recollection of my mother an adventure in which they were both participants. Most of the men had left the stockade where the settlers had forted, to make salt. To each block-house was left two old men for the protection of the women and children. To the block-house in which my mother was, there was left this old man Crayton and another.

The next day after the departure of the men, the fort was attacked by a party of Indians. Old Crayton was as brave as a lion, and at once made every preparation in his power for the defence of the block-house, but his companion showed the white feather, and ran about in great alarm, telling the helpless women that their last hour was come, and begging them to go to praying. My mother, who had the spirit of a frontier woman, told him sternly, if he said pray again, she would blow his brains out. He did'nt say it any more, but crept under a bed, where he probably indulged in praying to himself. In the meanwhile, two boys of about fourteen years of age (the late Christopher Miller and John Willey,) were engaged in loading all the spare guns, and as fast as they loaded they handed them to old Crayton and the brave women, who fired them with such effect that in a short time the Indians fled, believing that the fort was strongly defended. I remember the old man saying that they shot the button off his shirt-collar, and appealing to my mother for the fact. She said she did not remember the button, but she did remember picking splinters from his face, which had been knocked into it by the Indian bullets from the logs of the block-house.

I have, within the past few years, heard of making thread from nettles, treated as flax. I have often heard my mother say that when it was impossible to procure cloth, she clothed herself and children with very nice linen made from the large nettles that grew near the fort, whilst some other women of the fort wore nothing but buckskin. On one occasion, a Scotchman who wore, as was very customary at the time, a wig with a long queue hanging down his back, ventured out of the fort to go to a little corn-field at about half a mile distant, to get green corn. An Indian, as might have been expected, was lying in ambush, and as soon as he came close enough, fired at him, but missed. The Scotchman ran for the fort, and the Indian, tomahawk in hand, after him. The Indian was the swiftest, and gained slowly but surely on his victim, until he came near enough to rush forward and seize, as he thought, the scalp-lock of the fugitive. Amazed at finding a scalp that came off so easily, the Indian paused, holding up and looking at the wig, in astonishment, until the Scotchman, who was all the time making quick tracks, reached the shelter of the fort. My father, who was a man of mild disposition and unassuming manners, on one occasion, owed his own safety to this very trait of character. One day one of the hunters came in and told him that he had killed a buffalo at a short distance from the fort, and that it would be a good opportunity to get the brains of the animal to dress some deer-skins which he knew him to have. My father gladly availed himself of the opportunity, and the next morning, by daylight, he started, with nothing but his tomahawk, as no Indians had been for sometime in the neighborhood. On the way he had to pass a hut in which a man, who was notoriously selfish, was living. This man, on seeing my father, at once divined the object for which he was out so early, and as he was anxious to get the brains of the buffalo for the same purpose, he determined to outwit my father. Calling him into the hut, he insisted that he should share his breakfast, and as soon as my father was seated the man arose, telling him to sit still for a few minutes, and finish his breakfast, "as," said he, "one of the hunters has killed a buffalo, and I am anxious to get the brains to dress a deer-skin." Although my father was conscious of the duplicity of the man, his quiet, yielding disposition induced him to remain silent in regard to the object of his early trip, and allow the other to get possession of the buffalo brains. So he sat still in the hut, to await the return of his cunning friend. But he had not

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waited longer than the time necessary for the other to reach the spot where the buffalo was, before he heard the report of two rifles, and knowing too well what it meant, he at once returned to the fort, and getting a party of men, went in search of the man, and soon found him, scalped and with two bullet holes through his body.

A man belonging to the fort, on an excursion, found it necessary to camp out on the bank of a stream, or rather on the second bank, which was higher than the immediate bank. Here he kindled his fire, and roasted a joint of buffalo, which he had procured during the day. After finishing his supper he broke the bone of the joint, and was enjoying that greatest of the luxuries of a hunter's life, the buffalo marrow. While quietly picking his marrow-bone, the hunter heard the stealthy tread of some animal in the leaves, near the edge of the water. Thinking it was probably a wild-cat, attracted by the smell of meat, he threw, with all his force, the sharp-pointed fragment of the marrow-bone, to frighten away the animal, whatever it might be.

When day-light came, he went to the branch for water, and found there the body of an Indian, with the marrow-bone sticking in his head.

Stories, such as these, all embracing something of the wonderful, and full of thrilling danger, were the staple subjects of the conversation by the fireside of the early settler, and many were the stories told of the noted Indian fighters.

One old settler of this county, and the ancestor of some of the best men and women of the present day, Mike Hootsel, was noted for his many fights and numerous escapes from the Indians. On one occasion, it was said, they had him surrounded by Indians on every side, gradually narrowing the circle, so as to close in on him in a body." Hootsel fought, from one hiding place to another, until he killed and scalped six of the number, and then, with the scalps waving over his head, he succeeded in penetrating their cordon, and by his extraordinary fleetness, escaped from his critical position. He was once captured, and reserved as a sacrifice to grace their annual feast of bear's oil. This was a time of great feasting and rejoicing among the Indians, when, after a successful hunt, they met to render the oil and pack it away in bladders and skins, for future use. In the dance, on these occasions, men, women, and children all join. Hootsel, who himself had Indian blood in his veins, and had mingled much with them, knew exactly what their intentions were in regard to himself. He carefully watched for an opportunity to escape, and did not watch in vain. As is frequently the case, the Indians had not bound their prisoner, but had him within the dense circle which they formed around the caldron in which was hissing and sputtering the boiling oil, a portion of which was now and then cast on their prisoner, to test his fortitude previous to the grand torture. These preliminary sufferings were inflicted by women and children, who danced around and enjoyed the agony of their captive, with the keenest relish. Watching his opportunity, Hootsel seized a child, and dashed it, with all his force, into the kettle of boiling oil, scattering it in every direction, over those who stood nearest the fire. A rush was made to save the child, and amid the confusion, Hootsel made his escape.

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PIONEERS OF VICKSBURG AND WARREN COUNTY.

REV. NEWITT VICK, and his family, with his nephew, Foster Cook, Virginians, settled, when Mississippi Territory was yet in its infancy, near Selsertown, on the line between Adams and Jefferson counties. Their neighbors were the Selsers, Jones, Bolls, Marbles, Harrisons, Griffins, and others, most of whom had preceded them. Mr. Cook was a surveyor, and in the course of a year or two he found a tract of level land northeast of where Vicksburg now stands, some six miles from the river, known then by the name it still bears, as the "Open Woods," because most of the timber had been burned by the Indians.† Having secured this land from the Government, Foster Cook settled upon it, and was soon followed by Burwell Vick, then by Rev. Newitt Vick, John, Edwin and Alexander Cook, and Hartwell Vick. Rev. Newitt Vick, a Methodist minister and educated gentleman, died soon after his removal to Warren county, having first projected the city of Vicksburg. The conception originated with him, but he did not live to lay it off, or to dispose of a lot. By his will, he directed that this should be done, and his executor and son-in-law, Rev. John Lane, long Presiding Elder of that district, a man of intellectual vigor, untiring energy, with a rare aptitude for business, was the real father of the city. It dates from about 1820.

There was trouble and litigation about the Vick estate, chiefly arising from the newly discovered value of the embryo city; numerous claimants came forward, and there was a great worry and tussle in the courts, but, in the long run the Rev. John Lane was successful, and laid off and sold the lots, and did a good part for the public and for the heirs.

When the Cooks and Vicks first settled in Warren the only road, in the entire district, was along the river front from the Big Black to the Yazoo. There was no road eastward until 1820. Fort Nogales was one and one-fourth miles north from the present court-house. There was a grave yard near the river in front of the fort, and nearly in front of the present National Cemetery. This point was then called the Walnut Hills; by the Indians Nan-a-cha-ha. When Maj. Kirby, of the regular army, by order of Gen. Wilkinson, took possession of Fort Nogales, the name was changed to McHenry, after the then Secretary of War. Andrew Marschalk (our first printer), was with Kirby's detachment.‡

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* This account is derived from a correspondence with E. G. Cook, Esq., of Hazlehurst, for many years Clerk and Probate Judge of that county.

† There was, originally, on all the rich hill and bottom lands a heavy growth of cane, growing fifteen to twenty feet high, and so dense that nothing could pass through it. The settler would cut this down with cane-knives or hatchets, let it lay a month or two to dry, and then, on a windy day, apply the torch. The flames would burn limbs and even the bark from the largest trees, and effectually killing them, leaving the ground covered with ashes and ready for a crop. Little cultivation was required the first year. A burning cane-brake, with its flames and smoke, and continuous roar, presents all the sounds and aspect of a great battle.

‡ The Spanish commandant at Fort Nogales, by order of Gov. Gayoso, evacuated it March 23d, 1798. One Glass, and some fifteen other white persons, were then living at and near the Fort. In the early litigation the name of Glass fre-

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The old Spanish grave yard has long since caved into the river. The southern part of Warren county, after the Spaniards left, was first settled by the Rapaljes, Hylands, Downs, Steeles, Griffins, Sharkeys, Sellers, and others. Shortly afterwards, above Walnut Hills, along the bluff fronting the Yazoo swamp, were the Fergusons, Camerons, Turnbulls, Gervais, Jones, Jenkins, Davis, Heads and Throckmortons. All these were, in culture and means, far ahead of the usual class of pioneers. Judge Cowan, of Vicksburg, is a descendant of Jeremiah Jones. Col. St. Clair D. Gervais resided on the lake, four miles north of Vicksburg. He was a South Carolinian, of Hugenot extraction, rich, cultured and ceremonious. The close of his life was embittered by protracted litigation, growing out of the sale of his large estate on a credit. Judge Elihu Hall Bay and Robert J. Turnbull, of Charleston, claimed large tracts of land at and about the Walnut Hills under British grants. They sent Dr. Bay and Mr. John Turnbull to represent them, and established several plantations. The first Africans that appeared at the Walnut Hills belonged to Mr. Turnbull. He purchased them in Charleston harbor from the trader about the year 1800, and dispatched them on a schooner to New Orleans and up the river, the first Africans and the first sail vessel that ever landed where Vicksburg now stands. Charles J. Edwards, mate of this schooner, remained and lived a number of years in the settlements. Mr. Cook often saw the negroes, and describes them as undersized, prolific, superstitious and given to pilfering. They have descendants now in Issaquena county, where they were carried, before the war, by the heirs of R. J. Turnbull.

The most important person about Walnut Hills when the Americans settled there was Honore P. Morancy, planter, merchant, postmaster. He and his brother, when small boys, had been saved when the massacre in St. Domingo occurred. They were sent to the United States by Stephen Girard or his agents, and having no kindred were received, on their arrival at Baltimore, and educated by Charles Carroll, of Carrollton. Honore came to Louisiana, taught school in Opelousas, and settled first at Walnut Hills, and subsequently became an extensive planter at Milliken's Bend. His brother Emilius settled at Walnut Hills as a physician, but died long since. The remains of the old French fort, St. Peter, and of the Catholic mission, on the Yazoo, some twelve miles north of Vicksburg, were to be seen in those early times, and many materials of war have been there plowed up. The garrison was massacred and the mission broken up by the Kouros or Chocehumas directly after the massacre at Natchez. The Payne plantation now covers the site.

The public road from the river, eastward, in the direction of Mount Salus, (Clinton), was laid off in 1820, the commissioners being Cooks and Vicks. They opened a road to the Big Black, and in 1824 the legislature made an appropriation to extend it to Jackson.

Rev. Newitt Vick resided in the "Open Woods," but his plantation was where Vicksburg now stands. The first settler in the town was his son, Hartwell Vick. He and Nicholas Gray, from Adams county, (son of the old Surveyor General), established a large commercial business. Gray was a man of education. Vick was a man of fine mind, full of enterprise, but ahead of the times. The concern failed, and was succeeded by Foster Cook and George Wyche. They operated largely until the death of the senior partner in 1828. Both of these gentlemen were men of high character and sterling merit. Joseph Hough and Col. Henry Morse were merchandizing there about the same time. Hough became rich, chiefly by some lucky land speculation, and moved to Ohio, Col. Morse, was a man of elegant manners and fine mind, was son-in-law of Mr. Vick, but not fortunate in business.

The earliest physicians were E. Morancy, Thomas Anderson, J. W. Hedgeman—all eminent practitioners.

The court-house was then at Warrenton. Wm. L. Sharkey was the only resident lawyer, but the court was largely attended by attorneys from Natchez and Port Gibson. Alexander G. McNutt was among the first, if not the first lawyer

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quently occurs. As late as 1834, his son, Anthony Glass, claimed fractional section 23, township 11, range 3, east.

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that put up his shingle in Vicksburg—a young, robust Virginian from Rockbridge county. Then came Robert Garland, D. L. McCord, J. C. Smith, A. G. Creatte, J. M. Chilton, John J. Guion, and others.*

The Vicks and Cooks, and many of the pioneers of Warren county, were Methodists, and exercised a wholesome influence throughout the country. The first Methodist Conference ever convened in Mississippi met at the house of Rev. Newitt Vick, in Jefferson county, he being one of the eleven preachers that composed it. When these two families settled in the "Open Woods," in Warren, their first business, after providing a roof for their families, was a church and school-house. This pioneer minister and his most exemplary wife, died, in the midst of their career of usefulness, about the same time, doubtless with yellow fever, which frequently appeared at Warrenton, and extended into the country, just as we see it now.

In those days Foster Cook was the ruling spirit of the county. If he occasionally failed in his plans, he knew no such word as "surrender." After a severe struggle with the Hylands and their allies in the south-end of the county, he succeeded in having the court-house transferred from Warrenton to Vicksburg.

The Downs family was numerous and very influential, frequently holding the position of clerk, sheriff and representative.

The sons of Rev. Newitt Vick were educated at Lexington, Ky. The daughters at the Elizabeth Academy, in Adams county. They married, respectively, Rev. John Lane, Col. Henry Morse, Dr. S. D. McCrae, Hon. John L. Irwin, and Rev. C. K. Marshall, our distinguished divine, orator and philanthropist.

The Gibsons were very early settlers in Warren. Tobias Gibson was perhaps the first Methodist minister in the Mississippi country; a man of rare missionary gifts; patriarchial in appearance and character. He never married, but devoted himself to his calling, and if ever any man received a divine call and was sent forth to do good, and to persuade men to reform, he was the man. He died in 1804, and his tomb, four miles southeast of Vicksburg, may yet be seen. His brother, Rev. Randall Gibson, came about the same time, and was endowed with the same attributes. He lived to a good old age, a life largely devoted to his fellowmen, universally honored and beloved. He founded an extensive and influential family, conspicuous in Mississippi and Louisiana. He lies buried ten miles southeast of Vicksburg.

The Sellers moved to Lake Providence and became very wealthy. Of the Griffins, Frank G. became Probate Judge, moved to Washington county, and became the largest cotton planter in the State, probably in the world.

Some years after the death of Foster Cook his widow married Judge James Bland, one of the F. F. V.'s. He had the blue blood of the Meades, Tuckers, Randolphs and Carters in his veins, was a fluent and elegant speaker, but a little too much aristocracy to be popular. He was apt to say what he thought, and was ready to fight for what he said, if called on. His son was sheriff of Warren county when Gen. Grant captured Vicksburg.

* Personal sketches of all these gentlemen would be given, but having learned that a gentleman every way qualified, is preparing a work on the "Bench and Bar of Mississippi," I leave the field to him.

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FIRST STEAMBOAT ON THE WESTERN WATERS.

HAVING, in Chapter IX, given an account of the first voyage up the Mississippi, in batteaux or barges, when Bienville went to invade the Chickasaws, we supplement it with some details of the first steamboat voyage on the western waters, compiled from an address delivered before the Maryland Historical Society, by Hon. J. H. B. Latrobe, a distinguished lawyer and *savant* of Baltimore:

Prior to the introduction of steamboats on the western waters, the means of transportation thereon consisted of keel-boats, barges, and flat-boats. Keel-boats and barges ascended, as well as descended, the stream. The flat-boat was an unwieldy box, and was broken up, for the lumber it contained, on its arrival at the place of destination. The keel-boat was long and slender, sharp fore and aft, with a narrow gangway just within the gunwale, for the boatmen as they poled or warped up the stream, when not aided by the eddies that made their oars available. When the keel-boat was covered with a low house, lengthwise, between the gangways, it was dignified with the name of "barge." The only claim of the flat-boat, or "broad-horn," to rank as a vessel was due to the fact that it floated upon water and was used as a vehicle for transportation. Keel-boats, barges, and flat-boats had prodigious steering oars, and oars of the same dimensions were hung on fixed pivots on the sides of the last named, by which the shapeless and cumbrous contrivance was, in some sort, managed. Ignorant of anything better, the people of the west were satisfied with these appliances of trade in 1810.

Whether steam could be employed on the western rivers was a question that its success between New York and Albany was not regarded as having entirely solved; and after the idea had been suggested of building a boat at Pittsburg, to ply between Natchez and New Orleans, it was considered necessary that investigations should be made, as to the currents of the rivers to be navigated, in regard to the new system. These investigations, Nicholas J. Roosevelt undertook, with the understanding, that if his report were favorable, Chancellor Livingston, Mr. Fulton, and himself, were to be equally interested in the undertaking. The Chancellor and Mr. Fulton were to supply the capital, and Roosevelt was to superintend the building of the boat and engine. For this duty, as has already been shown in the last Chapter, the latter was peculiarly qualified.* He accordingly repaired to Pittsburg, in May, 1809. The only means of conveyance to New Orleans, where his investigations were to terminate, were the keel-boats, barges, and flat-boats already described. None of those then in use were suited to Mr. Roosevelt's purpose; and as the accuracy of his examination, rather than the speed of the voyage, was important, he determined to build a flat-boat which should contain all necessary comforts for himself and wife, and float with the current of the Ohio and Mississippi from Pittsburg to

* Mr. R. was a native of New York, of a well-known Knickerbocker family. He invented and patented the vertical wheel, which was adopted by Livingston & Fulton, and he afterwards became associated with them. Col. Aaron Ogden and William Griffith, Esq., of New Jersey, whose descendents have been conspicuous in Mississippi, were interested with Mr. Roosevelt in this patent.

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New Orleans. This he accordingly did; and, with the exception of some three weeks passed on shore at Louisville, and some nine or ten days in a row boat between Natchez and New Orleans, the flat-boat was the home of Mr. and Mrs. Roosevelt for the next six months. Cincinnati, Louisville, and Natchez were then the only places of even the smallest note between Pittsburg and New Orleans. Furnished with letters of introduction to their leading men, the travelers were kindly received and most hospitably entertained. Mr. Roosevelt's explanations were listened to respectfully, as he stated his purpose in visiting the west, and narrated what steam had accomplished on the eastern rivers. But he was evidently regarded as a sanguine enthusiast, engaged in an impracticable undertaking. From no one individual did he receive a word of encouragement. Nor was this incredulity confined to the gentlemen he met in society; it extended to the pilots and boatmen, who, passing their lives on the Ohio and Mississippi, possessed the practical information that he wanted. They heard what he had to say of the experience of Fulton and Livingston, and then pointed to the turbid and whirling waters of the great river as a conclusive answer to all his reasoning. That steam could ever be able to resist them, they could not be made to understand. Nothing, however, shook the confidence of Mr. Roosevelt. He had made up his mind that steam was to do the work of the western world, and his present visit was but for the purpose of ascertaining how best the work could be done upon its streams. The Ohio and Mississippi were problems that he had undertaken to study; nor did he leave them until he had mastered them in all their bearings. He guaged them; he measured their velocity at different seasons; he obtained all the statistical information within his reach, and formed a judgment with respect to the future development of the country west of the Alleganies that has since been amply corroborated. Not only did he do this, but finding coal on the banks of the Ohio, he purchased and opened mines of the mineral; and so confident was he of the success of the project on hand, that he caused supplies of the fuel to be heaped upon the shore, in anticipation of the wants of a steamboat whose keel had yet to be laid, and whose very existence was to depend upon the impression that his report might make upon the capitalists, without whose aid the plan would, for the present at least, have to be abandoned.

Arriving in New York in the middle of January, 1810, Mr. Roosevelt's report, bearing on its face evidence of the thoroughness of his examination, impressed Fulton and Livingston with his own convictions; and in the spring of that year he returned to Pittsburg, to superintend the building of the first steamboat that was launched on the western waters.

Pittsburg, when Mr. Roosevelt took up his residence there in 1811, had but recently commenced the career which has now entitled it to the name of the Birmingham of America. On the Allegany side, which was liable to overflow, there were but few buildings in 1811. Close by the creek and immediately under a lofty bluff, called Boyd's hill, was an iron foundry, known as Beelen's foundry, and in immediate proximity to this was the keel of Mr. Roosevelt's vessel laid. The depot of the Pittsburg and Connellsville Railroad now occupies the ground I am speaking of.

The size and plan of the first steamboat had been determined on in New York, and had been furnished by Mr. Fulton. It was to be 116 feet in length, with twenty feet beam. The engine was to have a 34 inch cylinder, and the boiler and other parts of the machine were to be in proportion.

The first thing to be done was to obtain the timber to build the boat; and for this purpose men were sent into the forest, there to find the necessary ribs, and knees, and beams—transport them to the Monongahela, and raft them to the shipyard. White pine was the only material for planking that could be obtained without a delay that was inadmissible. The sawing that was required, was done in the old fashioned and now long forgotten saw pits of 1811. Boat builders, accustomed to construct the barges of that day, could be obtained in Pittsburg; but a shipbuilder and the mechanics required in the machinery department, had to be brought from New York. Under these circumstances, Mr. Roosevelt began the work. One of the first troubles that annoyed him was a rise in the Monongahela, when the waters backed into his shipyard and set all

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his materials, that were buoyant, afloat. This occurred again and again; and on one occasion it seemed not improbable that the steamboat would be lifted from its ways and launched before its time. At length, however, all difficulties were overcome by steady perseverance, and the boat was launched—and called, from the place of her ultimate destination, The New Orleans. It cost in the neighborhood of $38,000.

As the New Orleans approached completion, and when it came to be known that Mrs. Roosevelt intended to accompany her husband on the voyage, the numerous friends she had made in Pittsburg, united in endeavoring to dissuade her from what they regarded as utter folly, if not absolute madness.* Her husband was appealed to. The criticisms that had been freely applied to the boat by the crowds of visitors to the shipyard, were now transferred to the conduct of the builder. He was told that he had no right to peril his wife's life, however reckless he might be of his own. But the wife believed in her husband; and, in the latter part of September, 1811, the New Orleans, after a short experimental trip up the Monongahela, commenced her voyage.

There were two cabins, one aft, for ladies, and a larger one forward for gentlemen. In the former there were four berths. It was comfortably furnished. Of this, Mrs. Roosevelt took possession. Mr. Roosevelt and herself were the only passengers. There was a captain, an engineer named Baker, Andrew Jack, the pilot, six hands, two female servants, a man waiter, a cook, and an immense Newfoundland dog. Thus equipped, the New Orleans began the voyage which changed the relations of the West,—which may almost be said to have changed its destiny.

The people of Pittsburg turned out in mass and lined the banks of the Monongahela to witness the departure of the steamboat; and shout after shout rent the air, and handkerchiefs were waived, and hats thrown up by way of "God speed" to the voyagers, as the anchor was raised, and heading up stream for a short distance, a wide circuit brought the New Orleans on her proper course, and, steam and current aiding, she disappeared behind the first headlands on the right bank of the Ohio.

Too much excited to sleep, Mr. Roosevelt and his wife passed the greater part of the first night on deck, and watched the shore, covered then with an almost unbroken forest, as reach after reach, and bend after bend, were passed at a speed of from eight to ten miles an hour. The regular working of the engine, the ample supply of steam, the uniformity of the speed, inspired at last a confidence that quieted the nervous apprehension of the travellers. Mr. Jack, the pilot, delighted with the facility with which the vessel was steered, and at a speed to which he was so little accustomed, ceased to express misgivings and became as sanguine as Mr. Roosevelt himself in regard to the success of the voyage. The very crew of unimaginative men were excited with the novelty of the situation; and when the following morning assembled all hands on deck to return the cheers of a village whose inhabitants had seen the boat approaching down a long reach in the river, and turned out to greet her as she sped,—it probably shone upon as jolly a set as ever floated on the Ohio.

On the second day after leaving Pittsburg, the New Orleans rounded to opposite Cincinnati, and cast anchor in the stream. Levees and wharf-boats were things unknown in 1811. Here, as at Pittsburg, the whole town seemed to have assembled on the bank, and many of the acquaintances of the former visit came off in small boats. "Well, you are as good as your word; you have visited us in a steamboat," they said: "but we see you for the last time. Your boat may go *down* the river; but, as to coming up it, the very idea is an absurd one." This was one of those occasions on which seeing was not believing. The keel-boatmen, whose shoulders had hardened as they they pressed their poles for many a weary mile against the current, shook their heads, as they crowded around the strange visitor, and bandied river wit with the crew that had been selected from their own calling for the first voyage. Some flatboatmen, whose

*She was the daughter of Benjamin Latrobe, Esq., the eminent architect who planned the Capital at Washington, and was the intimate friend and correspondent of Mr. Jefferson.

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ungainly arks the steamboat had passed a short distance above the town, and who now floated by with the current, seemed to have a better opinion of the new comer, and proposed a tow in case they were again overtaken. But as to the boat's returning, all agreed that *that* could never be.

The stay at Cincinnati was brief, only long enough to take in a supply of wood for the voyage to Louisville, which was reached on the night of the fourth day after leaving Pittsburg. It was midnight on the first of October, 1811, that the New Orleans dropped anchor opposite the town. There was a brilliant moon. It was as light as day almost, and no one on board had retired. The roar of the escaping steam, then heard for the first time at the place where, now, its echoes are unceasing, roused the population, and, late as it was, crowds came rushing to the bank of the river to learn the cause of the unwonted uproar. A letter now before me, written by one of those on board, at the time, records the fact—that there were those who insisted that the comet of 1811 had fallen into the Ohio and produced the hubbub!

The morning after the arrival of the vessel at Louisville, Mr. Roosevelt's acquaintances and others came on board, and here the same things were said that had been said at Cincinnati. Congratulations at having descended the river were, without exception, accompanied by regrets that it was the first and last time a steamboat would be seen above the falls of the Ohio. Still, so far, certainly, Mr. Roosevelt's promises had been fulfilled; and there was a public dinner given to him a few days after his arrival. Here any number of complimentary toasts were drunk, and the usual amount of good feeling on such occasions was manifested. *Sed revocare gradum*, however, was still the burden of the song.

Not to be outdone in hospitality, Mr. Roosevelt invited his hosts to dine on board the New Orleans, which still lay anchored opposite the town. The company met in the forward or gentlemen's cabin, and the feast was at its height, when suddenly there were heard unwonted rumblings, accompanied by a very perceptible motion in the vessel. The company had but one idea. The New Orleans had escaped from her anchor, and was drifting towards the falls, to the certain destruction of all on board! There was an instant and simultaneous rush to the upper deck, when the company found, that, instead of drifting towards the falls of the Ohio, the New Orleans was making good headway up the river and would soon leave Louisville in the distance down stream. As the engine warmed to its work, and the steam blew off at the safety valve, the speed increased. Mr. Roosevelt, of course, had provided this mode of convincing his incredulous guests, and their surprise and delight may readily be imagined. After going up the river for a few miles, the New Orleans returned to her anchorage.

It had been intended, on leaving Pittsburg, to proceed as rapidly as possible to New Orleans, to place the boat on the route for which it was designed, between that city and Natchez. It was found, however, on reaching Louisville, that there was not a sufficient depth of water on the falls of the Ohio to permit the vessel to pass over them in safety. Nothing was to be done, therefore, but to wait, as patiently as possible, for a rise in the river. That this delay might, as far as practicable, be utilized, to the extent, at least, of convincing the incredulous Cincinnatians, the New Orleans returned to that city, where she was greeted with an enthusiasm that exceeded, even, what was displayed on her descent from Pittsburg. No one doubted now. In 1832, I was detained for several days in Cincinnati, on my return from a visit to the South. There were numbers, then alive, who remembered the first advent of steam, and from some of these I learned what is here stated in regard to the public feeling at the time—the universal incredulity of the first visit—the unbounded confidence inspired by the second.

Returning to Louisville, the great interest of all on board the New Orleans centered in watching the rise in the Ohio. Rain in the upper country was what was wanted, and of this there seemed small promise. There was nothing in the aspect of the heavens that indicated it. On the contrary, there was a dull misty sky without a cloud—a leaden atmosphere that weighed upon the spirits, and the meaning of which would have been better understood at Naples under

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the shadow of Vesuvius, than on the banks of the Ohio. The sun, when it rose, looked like a globe of red hot iron, whose color brightened at noon, to resume the same look when it sank below the horizon. All day long, one might have gazed on it with unflinching eyes. The air was still and heated; and a sense of weariness was the characteristic of the hours as they wore slowly by. At last, and when a nervous impatience affected every one on board, it was announced, one morning, that there had been a rise in the river during the night. Morning after morning, the rise in the river during the night was reported; and finally, in the last week in November, it was ascertained that the depth of water in the shallowest portion of the falls, exceeded by five inches the draught of the boat. It was a narrow margin. But the rise had ceased: there was no telegraph in those days to tell hourly what was the weather in the country drained by the Ohio; and Mr. Roosevelt, assuring himself, personally, of the condition of the falls, determined to take the responsibility and go over them if he could. It was an anxious time. All hands were on deck. Mrs. Roosevelt, whom her husband would willingly have left behind to join him below the falls, refused to remain on shore, and stood near the stern. The two pilots, for an extra one had been engaged for the passage through the rapids, took their places in the bow. The anchor was weighed. To get into the Indiana channel, which was the best, a wide circuit had to be made, bringing her head down stream, completing which, the New Orleans began the descent. Steerage way depended upon her speed exceeding that of the current. The faster she could be made to go, the easier would it be to guide her. All the steam the boiler would bear was put upon her. The safety valve shrieked. The wheels revolved faster than they had ever done before; and the vessel, speaking figuratively, fairly flew away from the crowds collected to witness her departure from Louisville. Instinctively, each one on board now grasped the nearest object, and, with bated breadth, awaited the result. Black ledges of rock appeared only to disappear as the New Orleans flashed by them. The waters whirled and eddied, and threw their spray upon the deck, as a more rapid descent caused the vessel to pitch forward to what at times seemed inevitable destruction. Not a word was spoken. The pilots directed the men at the helm by motions of their hands. Even the great Newfoundland dog seemed affected by the apprehension of danger, and came and crouched at Mrs. Roosevelt's feet. The tension of the nervous system was too great to be long sustained. Fortunately, the passage was soon made; and, with feelings of profound gratitude to the Almighty, at the successful issue of the adventure, on the part of both Mr. Roosevelt and his wife, the New Orleans rounded to in safety below the falls. There was still the same leaden sky—the same dim sun during the day—the same starless night; but the great difficulty had been overcome, and it was believed that there would now be nothing but plain sailing to the port of destination. It was yet to be seen how far the expectations of those on board, in this respect, would be realized.

Hitherto, the voyage had been one of pleasure. Nothing had marred the enjoyment of the travelers. The receptions at Louisville and Cincinnati had been great events. But, now, were to come, to use the words of the letter already referred to, "those days of horror." The comet of 1811 had disappeared and was followed by the earthquakes of that year, of which the atmospheric phenomena just mentioned were the prognostics; and the earthquake accompanied the New Orleans far on her way down the Mississippi.*

* In the language of a very intelligent English traveler of those days: "Many things conspired to make the year 1811 *the annus mirabilis* of the West. During the earlier months, the waters of many of the great rivers overflowed their banks to a vast extent, and the whole country was in many parts covered from bluff to bluff. Unprecedented sickness followed. A spirit of change and recklessness seemed to pervade the very inhabitants of the forest. A countless multitude of squirrels, obeying some great and universal impulse, which none can know but the Spirit that gave them being, left their reckless and gambolling life, and their ancient places of retreat in the North, and were seen pressing forward by tens of thousands in a deep and solid phalanx to the South. No obstacles seemed to check their extraordinary and concerted movement. The word had been given

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The first shock that was observed was felt on board the New Orleans while she lay at anchor after passing the falls. The effect was as though the vessel had been in motion and had suddenly grounded. The cable shook and trembled, and many on board experienced for the moment a nausea resembling sea sickness. It was a little while before they could realize the presence of the dread visitor. It was wholly unexpected. The shocks succeeded each other during the night. When morning came, the voyage was resumed: and, while under way, the jar of the machinery, the monotonous beating of the wheels, and the steady progress of the vessel prevented the disturbance from being noticed.

It has already been mentioned, that, in his voyage of exploration, Mr. Roosevelt had found coal on the Ohio, and that he had caused mines to be opened in anticipation. Their value was now realized; and, when he reached them on his way down the river, he took on board as much coal as he could find room for.

Some miles above the mouth of the Ohio, the diminished speed of the current indicated a rise in the Mississippi. This was found to be the case. The bottom lands on either shore were under water, and there was every sign of an unwonted flood. Canoes came and went among the boles of the trees. Sometimes, the Indians attempted to approach the steamboat, and, again, fled on its approach. The Chickasaws still occupied that part of the State of Tennessee lying below the mouth of the Ohio. On one occasion, a large canoe, fully manned, came out of the woods abreast of the steamboat. The Indians, outnumbering the crew of the vessel, paddled after it. There was at once a race, and for a time the contest was equal. The result, however, was what might have been anticipated. Steam had the advantage of endurance; and the Indians, with wild shouts, which might have been shouts of defiance, gave up the pursuit, and turned into the forest from whence they had emerged.

While the crew of the New Orleans were more amused than alarmed at this incident of the voyage, Mr. Roosevelt, who had not forgotten the visit to the flat-boat on the preliminary exploration, was not sorry, now, when he lost sight of the canoe. That he bestowed a second thought upon the matter, illustrates the nervous excitement that prevailed on board. Mrs. Roosevelt and himself were still discussing the adventure when they retired to rest. They had scarcely fallen asleep, when they were aroused by shouts on deck, and the trampling of many feet. With the idea of Indians still predominant, Mr. Roosevelt sprang from his bed, and seizing a sword—the only weapon at hand—hurried from the cabin to join battle, as he thought, with the Chickasaws. It was a more alarming enemy that he encountered. The New Orleans was on fire; and flame and smoke issued from the forward cabin. The servant who attended there, had placed some green wood too close to the stove, in anticipation of the next day's wants; and, lying down beside it, had fallen sound asleep. The stove, becoming overheated, this wood had taken fire; the joiner's work close by had caught, and the entire cabin would soon have been in flames had not the servant, half suffocated, rushed on deck and given the alarm. By dint of great exertion, the fire, which by this time, was making rapid headway, was extinguished; but not until the interior wood work had been either destroyed or grievously defaced. Few eyes were closed for the remainder of the night; nor did the accident tend to tranquilize the nerves of the travelers.

A supply of provisions had been taken on board the New Orleans, at Louisville, amply sufficient for the voyage to Natchez, and this was occasionally supplemented by purchases at settlements along the river. These, however, were few and far between, and not at all to be relied on. The crew, accustomed to the simple fare of boatmen on the Mississippi, were easily provided for. The commissariat of the voyage, therefore—longer than a voyage to Europe now—gave no trouble.

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them to go forth, and they obeyed it, though multitudes perished in the broad Ohio, which lay in their path. The splendid comet of that year long continued to shed its twilight over the forests, and as the autumn drew to a close, the whole valley of the Mississippi, from the Missouri to the Gulf, was shaken to its centre by continued earthquakes."—*C. J. Latrobe's Rambler in North America.*

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Early in the afternoon of each day, the steamer was rounded to, and fastened to the bank, the crew going ashore to cut the wood required, after the coal was exhausted, for the next day's consumption. On some of these occasions, squatters came on board with tales of their experience upon the land, which they insisted shook and trembled under their feet. At New Madrid, a great portion of which had been engulphed, as the earth opened in vast chasms and swallowed up houses and their inhabitants, terror stricken people had begged to be taken on board, while others dreading the steamboat, even more than the earthquake, hid themselves as she approached. To receive the former was impossible. The would-be refugees had no homes to go to; and ample as was the supply of provisions for Mr. Roosevelt and his wife, it would have been altogether insufficient for any large increase of passengers; and as to obtaining provisions on the way, the New Orleans might as well have been upon the open sea. Painful as it was, there was no choice but to turn a deaf ear to the cries of the terrified inhabitants of the doomed town.

One of the peculiar characteristics of the voyage was the silence that prevailed on board. No one seemed disposed to talk; and when there was any conversation, it was carried on in whispers, almost. Tiger, who appeared, alone, to be aware of the earthquake while the vessel was in motion, prowled about, moaning and growling; and when he came and placed his head on Mrs. Roosevelt's lap, it was a sure sign of a commotion of more than usual violence. Orders were given in low tones; and the usual cheerful "aye, aye' sir," of the sailors, was almost inaudible. Sleeplessness was another characteristic. Sound, continuous sleep, was apparently unknown. Going ashore for wood was the event of each twenty-four hours, and was looked forward to by the crew with satisfaction, notwithstanding the labor that it involved. And yet the men, if not sullenly, toiled silently; and if the earth shook, as it often did, while they were at work, the uplifted axe was suspended, or placed quietly on the log, and the men stared at each other until it ceased. Nor was this depression confined to the steamer. Flat boats and barges were passed, whose crews instead of bandying river wit, as they had done when met on the voyage from Pittsburg to Louisville,—uttered no word as the New Orleans went by. Before the travellers had been many days on the Mississippi, they fancied, as they looked at each other, thet they had become haggard. Mrs. Roosevelt records "that she lived in a constant fright, unable to sleep or sew, or read."

Sometimes, Indians would join the wood choppers; and occasionally one would be able to converse in English with the men. From these it was learned that the steamer was called the "Penelore," or "fire Canoe," and was supposed to have some affinity with the Comet that had preceded the earthquake,—the sparks from the chimney of the boat being likened to the train of the celestial visitant. Again, they would attribute the smoky atmosphere to the steamer, and the rumbling of the earth to the beating of the waters by the fast revolving paddles. To the native inhabitants of the boundless forest that lined the river banks, the coming of the first steamboat was an omen of evil; and as it was the precurser of their own expulsion from their ancient homes, no wonder they continued, for years, to regard all steamboats with awe. As late as 1834, when the emigration of the Chickasaws to their new homes, west of the river, took place, hundreds refused to trust themselves in such conveyances, but preferred making their long and weary pilgrimage on foot.

One of the most uncomfortable incidents of the voyage was the confusion of the pilot, who became alarmed, and declared that he was lost; so great had been the changes in the channel caused by the earthquake. Where he had expected to find deep water, roots and stumps projected above the surface. Tall trees that had been guides had disappeared. Islands had changed their shapes. Cut-offs had been made through what was forest land when he saw it last. Still, there was no choice but to keep on. There was no place to stop at. There was no possibility of turning back.

In the first part of the voyage when the steamboat rounded to at night, she was made fast to the river bank; but when it was seen that trees would occasionally topple and fall over, as the ground beneath them was shaken or gave way, it was thought safer to stop at the foot of an island, which might serve as

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a break water, taking care the trees were far enough from the boat to obviate apprehension from them. Once, however, when such a fastening had been made and a plank carried ashore, and the wood chopping had been finished at an earlier hour than usual, a new experience was had. No shock had been felt during the day, and Mrs. Roosevelt anticipated a quiet rest. In this, however, she was disappointed. All night long she was disturbed by the jar and noise produced by hard objects grating against the planking outside the boat. At times severe blows were struck that caused the vessel to tremble through its entire length. Then there would follow a continuous scratching mingled with the gurgling sound of water. Drift wood had caused sounds of the same sort before, and it was thought that drift wood was again busy in producing them. With morning, however, came the true explanation. The island had disappeared; and it was the disintegrated fragments sweeping down the river, that had struck the vessel from time to time and caused the noises that Mrs. Roosevelt had been disturbed by. At first, it was supposed, that the New Orleans had been borne along by the current; but the pilot pointed to land marks on the banks which proved that it was the island that had disappeared while the steamboat had kept its place. Where the island had been, there was now a broad reach of the river; and when the hawser was cut, for it was found impossible otherwise to free the vessel, the pilot was utterly at at a loss which way to steer. Some flat boats were hailed, but they too were lost. Their main effort was, by dint of their long oars to keep where the current was the strongest. This was, evidently, the best plan for the New Orleans. It was not without its peculiar risks, however. In the bends, where the rushing waters struck the shore, to whirl around the curve, and glance off to form a bend in an opposite direction, the deepest water was immediately under the bank; and here the trees, undermined by the current, would be seen at times, to sink into the stream, often erect until the waters covered their topmost twigs—sometimes, falling against each other, interlacing their great arms, as strong men might do, struggling for life when drowning—sometimes, they fell outward into the water; and, then, woe to the vessel that happened to be near them in the bend. This danger, however, steam enabled the New Orleans to avoid. Referring to it all, it is not wonderful that the survivor of the voyage still speaks of it as "one of anxiety and terror."

As the New Orleans descended the river it passed out of the region of the earthquake, and the principal inconvenience was the number of shoals, and snags, and sawyers. These were all safely passed, however, and the vessel came in sight of Natchez, and rounded to opposite the landing place. Expecting to remain here for a day or two, the engineer had allowed his fires to go down, so that when the boat turned its head up stream it lost headway altogether, and was being carried down by the current, far below the intended landing. Thousands were assembled on the bluff and at the foot of it; and, for a moment, it would have seemed that the New Orleans had achieved what she had done, so far, only that she might be overcome at last. Fresh fuel, however, was added, the engine was stopped, that steam might accumulate; presently the safety valve lifted—a few turns of the wheel steadied the boat—a few more gave her headway; and, overcoming even the Mississippi, she gained the shore amid shouts of exultation and applause.

The romance of the voyage ended at Natchez, where the same hospitalities were extended to Mr. and Mrs. Roosevelt, that had been enjoyed at Louisville and Cincinnati. From thence to New Orleans there was no occurrence worthy of note. The Vesuvius and the Ætna followed the New Orleans, and they in their turn, were followed by others, and again by others, until now, the traveler on the Mississippi is never, or rarely, if ever, out of sight of the white and feathery plumes that accompany the boats of the Western waters, as their high pressure engines urge them on their way.*

* Although forming no part of the story of the voyage proper, yet, as this has been called a Romance, and all romances end, or should end in a marriage, the incident was not wanting here: for the Captain of the boat, falling in love with Mrs. Roosevelt's maid, prosecuted his suit so successfully as to find himself an ac-

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And this is the story of the "First Voyage of the First Steamboat on the Western Waters"—another link in the chain that should have connected the name of Roosevelt with the names of Fulton and Livingston among the benefactors of mankind.

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cepted lover when the New Orleans reached Natchez; and a clergyman being sent for, a wedding marked the arrival of the boat at the chief city of the Mississippi.

☞ The late Samuel Davis, of Philadelphia, in 1811, and for many years thereafter, was at the landing at Natchez, with nearly the whole population of the town, when the New Orleans arrived. There was a rise in the river, and when the boat rounded to, to head up stream, she was forty or fifty yards below the landing, and for a while she struggled with the current. Near by Mr. Davis was an old colored drayman, who, when he saw the steamer overcome the current by a rapid movement of the wheels, threw up his hat, and cried out, "by jolly, Mass Sam, old Mississippi got her massa dis time."

Mr. Davis was the only man in the crowd that had the nerve to ship cotton on the first trip of the boat. The first cotton ever shipped by steamer from Natchez was shipped by him, and he was thought to be taking a very great risk.

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ERRATA.—Note by Publishers.

It is due to the author to state that opportunity was not afforded him of reading all the proof-sheets of this work. The errors noted below are not material, and most of them would escape attention in perusal of the volume. They are noted, however, in order that they may be corrected in any future edition. Several serious mistakes in names and dates, have been corrected by the re-printing of thirty pages. The publication of this volume has been vexatiously delayed—the public demands upon our facilities having first to be satisfied. We shall endeavor to be more accurate and expeditious in the publication of Volume II.

PAGE 1—1st line, for 1541, read 1542; 12th line from top, for "Allonez," read Allowez.
44—7th line, for "Cure," read Curate.
58—31st line, for "dancing," read smoking.
61—28th line from top, for "DeConlanger," read DeCoulanger.
75—37th line from top, for "sensible," read sensitive.
122—11th line from top, for "Parmure," read Panmure, and same on page 123, 11th line from top.
224—James "Terrall" should read James Ferrall.
231—For "were," in 4th line from top, read "was," and for "Aylithe" Buckner, in foot-note, read Aylette Buckner.
257—7th line from bottom, for "notorious," read riotous.
259—2d line from bottom, for "Mr." read Wm.
292—33d line from top, for "Canoneberg" read Canonsburg.
298—18th line from bottom, for "evening," read ensuing.
303—11th line from top, for "Harrisburg," read Harrisonburg.
306—22d line from top, for "Nichola," read Nicholet.
318—For "Governor" Claiborne, in foot-note, read General.
323—7th line from bottom, for "Josiah" Francis, read Joseph.
328—Last line, Louis "Painboeuf," should read Pamboeuf.
352—18th line from top, for Miss "Stewart," read Miss Stanard.
355—18th line from top, for "in office," read an officer.
356—10th line from top, for "Creek," read Creole; and in 6th line from bottom, for "order," read odor.
359—15th line from top, for "named," read earned.
375—2d line of foot-note, for "all the parties were," read the former was.
393—14th line from bottom, for "John" G. Clark, read Joshua.
395—2d line of 6th paragraph, for "General" Poindexter, read George.
434—9th line from top, read "2500" majority, instead of 25,000.
438—1st line, omit the word "in."
442—24th line, for "inexcusable," read inexorable.
453—21st line, for "discouraged," read encouraged.
527—16th line from bottom, for "almo," read alms; in 5th line of foot-note, for "fraction," read fracture.

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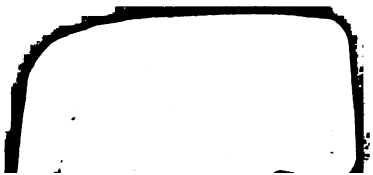

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